ORATIO
DE HARUSPICUM RESPONSIS [1]

INTRODUCTORY NOTE.—Early in 56 a strange noise was reported to have been heard in the Ager Latiniensis, a district near Rome. The Senate referred the matter to the Soothsayers, who pronounced that expiation must be offered to the gods for (*a*) neglect and impiety in the conduct of public games, (*b*) profanation of hallowed sites, (*c*) assassination of ambassadors, (*d*) violation of oaths, (*e*) neglect and impiety in the conduct of an ancient sacrifice.

In the interval between this and the speech *De domo sua* the Senate had decided against Clodius' alleged consecration of the site of C.'s house, and had restored it to its former owner, and Clodius, who was aedile for the year, affirmed that it was to this site that the Soothsayers referred.

In this speech C. gives the following explanations of the offences to be expiated: (*a*) the games alluded to were the Megalesia, on which occasion Clodius had packed the theatre with his gangs of slaves, though only freemen should

1 I. Hesterno die, patres conscripti, quum me et vestra dignitas et frequentia equitum Romanorum praesentium, quibus senatus dabatur, magno opere commosset, putavi mihi reprimendam esse P. Clodii impudicam impudentiam, quum is publicanorum causam stultissimis interrogationibus impediret, P. Tullioni Syro navaret operam atque ei se, cui totus

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THE SPEECH CONCERNING THE RESPONSE OF THE SOOTHSAYERS

[DELIVERED BEFORE THE SENATE, 56]

have been admitted, (*b*) the site alluded to was not his house, but that of Seius, of which Clodius was in possession after having murdered its owner, the house having contained a shrine and altars, (*c*) the ambassadors alluded to were Theodosius and Plator, the former of whom had been killed by Clodius, and the latter by Piso, his associate, (*d*) the perjury alluded to was that of the jury which had acquitted Clodius when he was manifestly guilty of sacrilege, and (*e*) the sacrifice alluded to was that of the Bona Dea, which Clodius had polluted.

A modern authority (Heitland, *Roman Republic*, vol. iii. p. 187 n.) says of the speech, "That Cicero's speech *De haruspicum responso* is the edited copy of that actually delivered, I do not venture to affirm. But I find it very difficult to attribute it to a forger. It does not stand on a high level, I freely admit."

1 I. CONSCRIPT FATHERS: Yesterday,[a] under the influence of the profound emotions inspired in me by your lofty demeanour and by the concourse of Roman knights, to whom you had vouchsafed an audience, I considered it to be my duty to repress the shameless impudence displayed by Publius Clodius in endeavouring to obstruct the business dealing with the collectors of revenue by his fatuous questions, in espousing the cause of Publius Tullio the Syrian, and in displaying his wares, before your

venierat, etiam vobis inspectantibus venditaret. Itaque hominem furentem exsultantemque continui, simul ac periculum iudicii intendi : duobus inceptis verbis omnem impetum gladiatoris ferociamque com-
2 pressi. Ac tamen ignarus ille qui consules essent, exsanguis atque aestuans, se ex curia repente proripuit cum quibusdam fractis iam atque inanibus minis et cum illius Pisoniani temporis Gabinianique terroribus. Quem quum egredientem insequi coepissem, cepi equidem fructum maximum et ex consurrectione omnium vestrum et ex comitatu publicanorum. Sed vaecors repente sine suo vultu, sine colore, sine voce constitit : deinde respexit et simul atque Cn. Lentulum consulem aspexit, concidit in curiae paene limine, recordatione, credo, Gabinii sui desiderioque Pisonis. Cuius ego de effrenato et praecipiti furore quid dicam ? an[1] potest gravioribus a me verbis vulnerari quam est statim in facto ipso a gravissimo viro, P. Servilio, confectus ac trucidatus ? Cuius si iam vim et gravitatem illam singularem ac paene divinam adsequi possem, tamen non dubito quin ea tela, quae coniecerit inimicus, quam ea, quae collega patris emisit, leviora atque hebetiora esse videantur.
3 II. Sed tamen mei facti rationem exponere illis volo, qui hesterno die dolore me elatum et iracundia

[1] an *Pet.*

[a] P. Servilius Isauricus, consul with Ap. Clodius Pulcher 79.

very eyes, to this man, to whom he had sold himself body and soul. In pursuit of this end, I menaced him with the threat of action at law, and so checked forthwith his extravagant exultation; indeed, two words had not escaped me before I had silenced his
2 contumacious outburst. But he was not altogether silenced; for, totally regardless of the character of our consuls, he suddenly flung himself pale and fuming from the senate-house, crying empty threats that broke into stuttering upon his lips, and imprecating upon us the terrors of the régime of Piso and Gabinius. Making as though to follow him as he departed, I was deeply gratified by your rising to a man from your seats, while the collectors prepared to accompany me. But on a sudden, dumfounded, pale, and speechless, with the scowl dying from his brow, he halted; then he cast a backward glance, and as his gaze fell upon the consul Gnaeus Lentulus, he fell to the ground almost on the threshold of the senate-house, overcome, no doubt, by the recollection of his beloved Gabinius and by yearning for his lost Piso. How can I describe his unbridled and headstrong infatuation? Can any expressions I have at my command wound him more trenchantly than those whereby, at the actual time, Publius Servilius, that exemplary gentleman, summarily demolished and made an end of him? But even were I able to match his unrivalled and well-nigh superhuman energy and seriousness, I have no doubt that the missiles directed against Clodius by an enemy would seem blunter and less weighty than those discharged by his father's colleague.[a]

3 II. I wish, however, to demonstrate the propriety of my conduct for the benefit of those who considered

longius prope progressum arbitrabantur quam sapientis hominis cogitata ratio postulasset. Nihil feci iratus, nihil impotenti animo, nihil non diu consideratum ac multo ante meditatum. Ego enim me, patres conscripti, inimicum semper esse professus sum duobus, qui me, qui rem publicam cum defendere deberent, servare possent, cumque ad consulare officium ipsis insignibus illius imperii ad meam salutem non solum auctoritate, sed etiam precibus vestris vocarentur, primo reliquerunt, deinde prodiderunt, postremo oppugnarunt praemiisque nefariae pactionis funditus una cum re publica oppressum exstinctumque voluerunt, quique suo ductu et imperio cruento illo atque funesto supplicia neque a sociorum moenibus prohibere neque hostium urbibus inferre potuerunt: excisionem, inflammationem, eversionem, depopulationem, vastitatem etiam sua cum praeda meis omnibus tectis atque agris intu-
4 lerunt. Cum his furiis et facibus, cum his, inquam, exitiosis prodigiis ac paene huius imperii pestibus bellum mihi inexpiabile dico esse susceptum, neque id tamen ipsum tantum quantum meus ac meorum, sed tantum quantum vester atque omnium bonorum dolor postulavit. III. In Clodium vero non est hodie meum maius odium quam illo die fuit, cum illum

that under the stress of resentment and indignation I went yesterday to perhaps greater lengths than those to which a wise man by his reasoned principles might have been called upon to go. Nothing that I did was done in anger or upon uncontrolled impulse ; there was nothing that I had not long pondered and rehearsed some considerable time before. For I, conscript fathers, have always avowed my hostility to two men, who, though it was in their duty to defend, and in their power to preserve the republic and myself, and though they were summoned to the responsibilities of the consulship by the very external emblems of that lofty position, and to the cause of my protection not only by your authority but by your prayers, first deserted their trust, then betrayed, and finally assailed it, and designed to use the profits of their traitorous trafficking to effect my utter humiliation and annihilation along with that of the state ; and who, to their own profit, visited upon all my houses and estates those inflictions, in the shape of destruction, fire, demolition, harrying and rapine, which they were unable, by their leadership and their blood-stained and fatal tenure of power, to ward from the walls of our allies, or launch
4 against the cities of our foemen. With these furies and fire-brands, yes, with these pernicious portents who brought all but pestilence upon this empire, I do admit that I have entered upon implacable warfare : a war, albeit, which is itself not bitter enough to satisfy my resentment and that of those belonging to me, though it satisfies your own and that of all sound patriots.

III. But for Clodius my hatred is no greater to-day than it was on that day when I discovered that he

ambustum religiosissimis ignibus cognovi muliebri ornatu ex incesto stupro atque ex domo pontificis maximi emissum. Tum, inquam, tum vidi ac multo ante prospexi quanta tempestas excitaretur, quanta impenderet procella rei publicae. Videbam illud scelus tam importunum, audaciam tam immanem adolescentis furentis, nobilis, vulnerati non posse arceri otii finibus : erupturum illud malum aliquando, si impunitum fuisset, ad perniciem civitatis. Non multum mihi sane post ad odium accessit. Nihil enim contra me fecit odio mei, sed odio severitatis, odio dignitatis, odio rei publicae. Non me magis violavit quam senatum, quam equites Romanos, quam omnes bonos, quam Italiam cunctam : non denique in me sceleratior fuit quam in ipsos deos immortales : etenim illos eo scelere violavit, quo nemo antea : in me fuit eodem animo, quo etiam eius familiaris Catilina, si vicisset, fuisset. Itaque eum numquam a me esse accusandum putavi, non plus quam stipitem illum, qui quorum hominum esset nesciremus, nisi se Ligurem ipse esse diceret. Quid enim hunc persequar, pecudem ac beluam, pabulo inimicorum meorum et glande corruptum ? qui si sensit quo se scelere

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[a] Clodius' violation of the rites of Bona Dea, to which reference is made in this speech *passim*.

[b] Aelius Ligur, who opposed the motion for Cic.'s return; also means 'Ligurian,' the Ligurians being proverbial for deceit.

had burnt his fingers in the fires of awful rites, and had been dismissed in his woman's garb from the house of the supreme Pontiff which he had made the scene of vile adultery.[a] It was then, then I say, that I marked and anticipated long before its arrival the fierce hurricane that was being roused, the furious tempest that was brewing to imperil the state. I saw that criminality so savage and effrontery so monstrous, displayed by a maddened and exasperated young nobleman, could not be kept within the limits of a peaceful existence; but that one day, if it were allowed to go unchecked, the plague would break forth, fraught with ruin to the community. True, indeed, that as regards myself there was little addition afterwards to his hate; he did nothing through hatred of me, but through hatred of austerity, of dignity, of the republic; it was not me he attacked, so much as the senate, the Roman knights, the general body of patriots, and the whole of Italy; in fact the crimes he committed against me were no more shocking than those which he committed against the immortal gods. Them indeed he assailed with an impiety hitherto unknown; but his animosity against me was no greater than that which would have actuated his friend Catiline, had he triumphed. Consequently I never thought myself called upon to accuse him, any more than to accuse that blockhead whom we should be at a loss how to classify, were it not that he characterized himself for us by his name of Ligur.[b] For what need that I should vent my spleen upon such brute cattle as Clodius, who had browsed to his own bane upon the fodder and acorns of my enemies? If he has realized the nature of the sin

devinxerit, non dubito quin sit miserrimus : sin autem id non videt, periculum est ne se stuporis excusatione
6 defendat. Accedit etiam, quod exspectatione omnium fortissimo et clarissimo viro, T. Annio, devota et constituta ista hostia esse videtur : cui me praeripere desponsam iam et destinatam laudem, cum ipse eius opera et dignitatem et salutem recuperarim, valde est iniquum. IV. Etenim, ut P. ille Scipio natus mihi videtur ad interitum exitiumque Karthaginis, qui illam a multis imperatoribus obsessam, oppugnatam, labefactam, paene captam aliquando, quasi fatali adventu solus evertit, sic T. Annius ad illam pestem comprimendam, exstinguendam, funditus delendam natus esse videtur et quasi divino munere donatus rei publicae. Solus ille cognovit quem ad modum armatum civem, qui lapidibus, qui ferro alios fugaret, alios domi contineret, qui urbem totam, qui curiam, qui forum, qui templa omnia caede incendiisque terreret,
7 non modo vinci, verum etiam vinciri oporteret. Huic ego et tali et ita de me ac de patria merito viro numquam mea voluntate praeripiam eum praesertim reum, cuius ille inimicitias non solum suscepit propter salutem meam, verum etiam appetivit. Sed si etiam nunc illaqueatus iam omnium legum periculis, irretitus odio bonorum omnium, exspectatione supplicii iam non diuturna implicatus, feretur tamen haesitans

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[a] Milo ; see *In senatu*, Chap. VIII. n.

[b] Clodius was killed by Milo three years after the date of this speech. This passage may be read as a prophecy of this, but it more probably refers to a prosecution of Clodius by Milo.

that has enthralled him, I cannot doubt that he is the most wretched of men ; but if he is blind to this, he may attempt to defend himself by pleading
6 congenital dulness of wit. There is this too : the universal anticipation seems to have marked him down and allotted him as a victim to Titus Annius,[a] that bravest and most renowned of men ; and it would be most improper, in view of the fact that it is to his efforts that I myself owe the recovery of my position and my security, for me to filch from him a glory which is already his by promise and destiny. IV. For indeed, even as the great Publius Scipio appears to me to have been destined from birth to work the doom and destruction of Carthage, which he alone, after many generals had besieged, attacked, shaken, and all but captured it, overthrew by what seemed a direct mission of fate, so Titus Annius seems to have been designed from birth and presented to the state as a heaven-sent gift, for the purpose of foiling, abolishing, and utterly extirpating that pestilence. He alone knows the proper method of not merely defeating but also of fettering an armed citizen, who intimidated some by stones or steel, who penned others in their houses, and who terrified with fire and slaughter the whole city, the senate-house,
7 and all the temples. Never of my own free will shall I deprive so noble a gentleman, whose services to the state and to myself are so eminent, of the man he accuses, above all when he is one whose enmity he not merely braved, but even coveted, in the cause of my restoration.[b] But if even now, hampered though he be by manifold legal liabilities, enmeshed in the hatred of all loyal men, racked by the anticipation of a retribution that cannot now be long deferred,

et in me impetum impeditus facere conabitur, resistam et aut concedente aut etiam adiuvante Milone eius conatum refutabo, velut hesterno die, cum mihi stanti tacens minaretur, voce tantum attigi legum initium et iudicii : consedit ille : conticui. Diem dixisset, ut iecerat[1] : fecissem ut ei statim tertius a praetore dies diceretur. Atque hoc sic moderetur et cogitet, si contentus sit iis sceleribus, quae commisit, esse se iam consecratum Miloni : si quod in me telum intenderit, statim me esse adrepturum arma iudiciorum atque legum.

8 Atque paullo ante, patres conscripti, contionem habuit, quae est ad me tota delata : cuius contionis primum universum argumentum sententiamque audite. Cum riseritis impudentiam hominis, tum a me de tota contione audietis. V. De religionibus sacris et caerimoniis est contionatus, patres conscripti, Clodius : P. inquam Clodius sacra et religiones negligi, violari, pollui questus est. Non mirum, si hoc vobis ridiculum videtur. Etiam sua contio risit hominem, quo modo ipse gloriari solet, ducentis confixum senati consultis, quae sunt omnia contra

[1] iecerat *Ernesti* : fecerat *mss.*

[a] "The shortest term of notice allowed by the law" (Long).

he shall still, though with many misgivings, be yet borne onward, and if, in spite of all his embarrassments, he shall yet try to assail me, I will stand my ground, and with Milo's permission, perhaps even with his assistance, I shall baffle his endeavours, even as yesterday, when he hurled unspoken threats at me as I stood speaking, I cowed him by my first syllables of reference to the law and legal proceedings. He sat down; I spoke no further word. Had he given me notice of prosecution, as he had threatened that he would, I would have contrived to make the praetor summon him on the spot for the third day from that.[a] So let him be guided by the reflection, if he is content with the crimes he has already committed, that he has already been marked down for Milo; and that, if he launches any missile against me, I shall at once have resort to the weapon of law and legal proceedings.

8 Now a short while ago, conscript fathers, he held a mass meeting, the proceedings of which were fully reported to me. Let me first give you an account of the topics discussed and the resolutions passed; then, when you have laughed at the fellow's effrontery, I will proceed to give you a detailed narrative of the meeting. V. Religious observances and rites, conscript fathers, were the matters which Clodius, if you please, laid before his mass meeting; yes, Publius Clodius complained of the neglect, the violation, the desecration, of rites and sanctities! It is not surprising that to you this should seem a fit subject for laughter; why, his own meeting laughed at the thought that a fellow who, as he himself often brags, was paralysed by a hundred decrees of the senate, all of them

illum pro religionibus facta, hominemque eum, qui pulvinaribus Bonae deae stuprum intulerit, eaque sacra, quae viri oculis ne imprudentis quidem aspici fas est, non solum aspectu virili, sed flagitio stuproque violarit, in contione de religionibus neglectis
9 conqueri. Itaque nunc proxima contio eius exspectatur de pudicitia. Quid enim interest utrum ab altaribus religiosissimis fugatus de sacris et religionibus conqueratur an ex sororum cubiculo egressus pudorem pudicitiamque defendat? Responsum haruspicum hoc recens de fremitu in contione recitavit, in quo cum aliis multis scriptum etiam illud est, id quod audistis, LOCA SACRA ET RELIGIOSA PROFANA HABERI. In ea causa esse dixit domum meam, a religiosissimo sacerdote, P. Clodio, consecratam.
10 Gaudeo mihi de toto hoc ostento, quod haud scio an gravissimum multis his annis huic ordini nuntiatum sit, datam non modo iustam, sed etiam necessariam causam esse dicendi. Reperietis enim ex hoc toto prodigio atque responso nos de istius scelere ac furore ac de impendentibus periculis maximis prope iam
11 voce Iovis optimi maximi praemoneri. Sed primum expiabo religionem aedium mearum, si id facere vere

pronounced against him for sacrilege, who had made the sacred banquet of the Good Goddess the scene of his adultery, and who had polluted rites, which it is a crime for a man's eyes to gaze upon even inadvertently, not only by his male presence, but by shocking licentiousness, should protest at a mass
9 meeting against a want of regard for religion. So now we look forward with keen anticipation to his next meeting on the subject of chastity. Chased from altars of the deepest sanctity, he raises his voice in protest on behalf of rites and sanctities; and surely it would be an act only in keeping with such conduct that he should come forth from his sister's chamber to champion honour and chastity. He read to the meeting that response recently delivered by the soothsayers with regard to the strange noise that was heard, wherein the statement you yourselves have heard was comprised with many others, to the effect that "sacred and hallowed sites were being turned to secular purposes." In the course of his argument he asserted that my house had been consecrated by that most scrupulous of
10 priests, Publius Clodius. I am glad to have been given an opportunity, which is not only appropriate but quite irresistible, of speaking on the general theme of this prodigy, which I am inclined to believe is the most solemn that has been announced to this order for many years past; for you will find that this prodigy and the response occasioned thereby are nothing but a warning to us, uttered almost by the voice of Jupiter Best and Greatest, concerning Clodius' mad wickedness and the terrible
11 dangers that threaten us. But first I will extricate my house from its alleged sanctity, if I can do so truly,

ac sine cuiusquam dubitatione potero : sin scrupulus tenuissimus residere alicui videbitur, non modo patienti, sed etiam libenti animo portentis deorum immortalium religionique parebo.

VI. Sed quae tandem est in hac urbe tanta domus ab ista suspicione religionis tam vacua atque pura ? Quamquam vestrae domus, patres conscripti, ceterorumque civium multo maxima ex parte sunt liberae religione, tamen una mea domus iudiciis omnibus liberata in hac urbe sola est. Te enim appello, Lentule, et te, Philippe : ex hoc haruspicum responso decrevit senatus, ut de locis sacris religiosis ad hunc ordinem referretis. Potestisne referre de mea domo ? quae, ut dixi, sola in hac urbe omni religione, omnibus iudiciis liberata est : quam primum inimicus ipse in illa tempestate ac nocte rei publicae, quum cetera scelera stilo illo impuro, Sex. Clodii ore tincto, conscripsisset, ne una quidem attigit littera religionis : deinde eamdem domum populus Romanus, cuius est summa potestas omnium rerum, comitiis centuriatis omnium aetatum ordinumque suffragiis eodem iure
12 esse iussit, quo fuisset. Postea vos, patres conscripti, non quo dubia res esset, sed ut huic furiae, si diutius in

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[a] See *De domo sua*, Chap. XVIII.

and so as to leave no shadow of doubt in anyone; but if any should feel at the end that he still has the most minute misgiving, I shall not merely be content, but I shall even be delighted, to comply with the portents of the immortal gods and the obligations which they impose.

VI. But, I would ask you, what house is there in all this great city which is so utterly void and free of this suspicion of sanctity as is my own? It is true that your houses, conscript fathers, and those of the general body of citizens are, in the vast majority of cases, free from sanctity, but mine is the only house in this city which has been absolved therefrom by every variety of judicial decision. I appeal to you, Lentulus, and to you, Philippus. As a result of this response of the soothsayers the senate decreed that a vote of this body should be taken on the subject of hallowed and consecrated sites. But can you possibly take a vote upon my house, which, as I have already said, is the only one in this city which has been absolved from all sanctity by every variety of judicial decision? In the first place my enemy himself, in that dark and stormy night of the state, never wrote a single letter attaching sanctity to that house, though with that pen that he dipped in the vile effrontery of Sextus Clodius[a] he had exhausted the whole catalogue of crimes; in the second place, the Roman people, whose authority is universal and paramount, decreed by the votes of all ages and orders given in the Assembly of the Centuries that the legal standing of this house should remain as it had always been;
12 and finally you, conscript fathers, decreed that the question of the sanctity of my house should be

hac urbe, quam delere cuperet, maneret, vox interdiceretur, decrevistis, ut de mearum aedium religione ad pontificum collegium referretur. Quae tanta religio est, qua non in nostris dubitationibus atque in maximis superstitionibus unius P. Servilii aut M. Luculli responso ac verbo liberemur? De sacris publicis, de ludis maximis, de deorum penatium Vestaeque matris caerimoniis, de illo ipso sacrificio, quod fit pro salute populi Romani, quod post Romam conditam huius unius casti tutoris religionum scelere violatum est, quod tres pontifices statuissent, id semper populo Romano, semper senatui, semper ipsis dis immortalibus satis sanctum, satis augustum, satis religiosum esse visum est. At vero meam domum P. Lentulus consul et pontifex, P. Servilius, M. Lucullus, Q. Metellus, M'. Glabrio, M. Messalla, L. Lentulus flamen Martialis, P. Galba, Q. Metellus Scipio, C. Fannius, M. Lepidus, L. Claudius rex sacrorum, M. Scaurus, M. Crassus, C. Curio, Sex. Caesar flamen Quirinalis, Q. Cornelius, P. Albinovanus, Q. Terentius, pontifices minores, causa cognita, duobus locis dicta, maxima frequentia amplissimorum ac sapientissimorum civium astante, omni religione una mente
13 omnes liberaverunt. VII. Nego umquam post sacra constituta, quorum eadem est antiquitas, quae ipsius urbis, ulla de re, ne de capite quidem virginum Vesta-

[a] To Bona Dea.

[b] A religious official who inherited the sacred functions of the king.

[c] The Sabine god of war, whose worship was especially connected with the Quirinal.

referred to the Pontifical College, not that there was any doubt about the matter, but in order that an interdict might be put upon this fury's utterance, should he remain any longer in this city which he was bent upon destroying. What sanctity can be so potent, that amid all our doubts and gravest scruples the plain pronouncement of Publius Servilius alone or of Marcus Lucullus cannot absolve us therefrom? In all matters of public rites, of the great games, of the ceremonies of the household gods and of Vesta the Mother, and even of that sacrifice [a] which is offered up for the welfare of the Roman people, a sacrifice which since Rome was founded has never been violated save by the wickedness of this spotless protector of sanctities, the decision of three Pontifices has always been considered by the Roman people, by the senate, and by the immortal gods themselves, to be sufficiently sacred, venerable, and binding. But my house has been unanimously absolved from all sanctity by Publius Lentulus, consul and pontiff, by Publius Servilius, Marcus Lucullus, Quintus Metellus, Manius Glabrio, Marcus Messalla, Lucius Lentulus the flamen of Mars, Publius Galba, Quintus Metellus Scipio, Gaius Fannius, Marcus Lepidus, Lucius Claudius the King of Rites,[b] Marcus Scaurus, Marcus Crassus, Gaius Curio, Sextus Caesar flamen of Quirinus,[c] Quintus Cornelius, Publius Albinovanus, Quintus Terentius, sub-pontiffs, after two separate hearings of the case, in the presence of a vast throng
13 of wise and influential citizens. VII. I assert that never, since religion, which is coeval with the city itself, was established, has so numerous a meeting of the College pronounced upon any matter, no, not

lium, tam frequens collegium iudicasse : quamquam ad facinoris disquisitionem interest adesse quam plurimos : ita est enim interpretatio illa pontificum, ut eidem potestatem habeant iudicum : religionis explanatio vel ab uno pontifice perito recte fieri potest, quod idem in iudicio capitis durum atque iniquum est : tamen sic reperietis frequentiores pontifices de mea domo quam umquam de caerimoniis virginum iudicasse. Postero die frequentissimus senatus, te consule designato, Lentule, sententiae principe, P. Lentulo et Q. Metello consulibus referentibus statuit, cum omnes pontifices, qui erant huius ordinis, adessent, cumque alii, qui honoribus populi Romani antecedebant, multa de collegii iudicio verba fecissent omnesque iidem scribendo adessent, domum meam iudicio pontificum religione liberatam
14 videri. De hoc igitur loco sacro potissimum videntur haruspices dicere, qui locus solus ex privatis locis omnibus hoc praecipue iuris habet, ut ab ipsis, qui sacris praesunt, sacer non esse iudicatus sit ? Verum referte : quod ex senatus consulto facere debetis. Aut vobis cognitio dabitur, qui primi de hac domo sententiam dixistis et eam religione omni liberastis,

even upon the lives of Vestal Virgins. It is, no doubt, important for the proper investigation of a crime that the inquiry should be attended by as many persons as possible; for pontifical pronouncements are of such a nature that the powers of their College are as great as those of our juries. But while the interpretation of a point in religion can be validly given by a single expert pontiff, the application of this principle to a capital trial would involve harshness and injustice. You will thus find, however, that the meetings of the Pontifical College that gave judgement upon my house were more numerously attended than any of those that dealt with the ritual of the Vestals. On the following day a crowded senate decreed upon your suggestion, Lentulus, who were consul-elect, and upon the motion of the consuls Publius Lentulus and Quintus Metellus, all the pontiffs who were members of this order being present, and after others, who held high offices of the Roman people, had discussed the judgement of the College at some length, that the pontifical pronouncement had absolved my house from sanctity; and the formulated decree was subscribed
14 to by all those I have mentioned. And is it to be concluded that the soothsayers alluded to this consecrated site rather than to any other, though it alone of all private sites possesses the peculiar privilege of having been declared, by the overseers of consecration themselves, free from consecration? Give upon this matter the true vote which is demanded of you by that decree of the senate. Either the inquiry will rest with you, who were the first to pronounce an opinion concerning this house, and who declared it to be totally absolved of sanctity;

aut senatus ipse iudicabit, qui uno illo solo antistite sacrorum dissentiente frequentissimus antea iudicavit, aut, id quod certe fiet, ad pontifices reiicietur, quorum auctoritati, fidei, prudentiae maiores nostri sacra religionesque et privatas et publicas commendarunt. Quid ergo ii possunt aliud iudicare ac iudicaverunt? Multae sunt domus in hac urbe, patres conscripti, atque haud scio an paene cunctae iure optimo, sed tamen iure privato, iure hereditario, iure auctoritatis, iure mancipi, iure nexi: nego esse ullam domum aliam aeque privato iure atque optima lege, publico vero omni praecipuo et humano et divino iure munitam: quae primum aedificatur ex auctoritate senatus, pecunia publica, deinde contra vim nefariam huius gladiatoris tot senati consultis munita atque saepta est. VIII. Primum negotium iisdem magistratibus est datum anno superiore, ut curarent ut sine vi aedificare mihi liceret, quibus in maximis periculis universa res publica commendari solet: deinde cum ille saxis et ignibus et ferro vastitatem meis sedibus intulisset, decrevit senatus eos, qui id fecissent, lege de vi, quae est in eos, qui universam rem publicam oppugnassent, teneri. Vobis vero referentibus, o post hominum memoriam fortissimi atque optimi consules, decrevit idem senatus frequentissimus, qui

[a] *i.e.* by assignment to a creditor on the part of an insolvent debtor.

[b] The consuls.

or the decision will belong to the senate, which has already given its decision in full house, with but one dissentient voice—that of yonder hierophant; or, which is bound in any case to occur, the question will be referred to the pontiffs, to whose authority, loyalty, and wisdom our ancestors entrusted all matters of religion and of private and public observance. And what verdict can they give other than that which they have already given? There are many houses in this city, conscript fathers, nearly all of them, I imagine, held upon incontrovertible legal title, but held upon private title, hereditary title, title of possession, of purchase, or of distraint.[a] But I deny that there is any other house which is protected at once by an incontestable private title, and also by every important public title
15 either of divine or of human origin, seeing that it, in the first place, is erected at the public expense by authority of the senate, and seeing that, secondly, it has been fortified and barricaded by senatorial decrees to withstand the lawless assaults of this gladiator. VIII. Last year, in the first place, the duty of securing freedom for me to build without molestation was assigned to the same magistrates[b] to whom the well-being of the whole community is usually entrusted in supreme crises; and, in the second place, in view of the fact that Clodius had attempted to devastate my dwelling with stones, fire, and the sword, the senate decreed that the guilty persons should be amenable to the law of assault, which is enacted against those who have assailed the republic at large. Yes, it was upon your motion, O bravest and best of all consuls in human memory, that the senate again in full con-

meam domum violasset, contra rem publicam esse
16 facturum. Nego ullo de opere publico, de monumento, de templo tot senatus exstare consulta quot de mea domo, quam senatus unam post hanc urbem constitutam ex aerario aedificandam, a pontificibus liberandam, a magistratibus defendendam, a iudicibus puniendam putarit. P. Valerio pro maximis in rem publicam beneficiis data domus est in Velia publice, at mihi in Palatio restituta : illi locus, at mihi etiam parietes atque tectum : illi quam ipse privato iure tueretur, mihi quam publice magistratus omnes defenderent. Quae quidem ego si aut per me aut ab aliis haberem, non praedicarem apud vos, ne nimis gloriari viderer : sed cum sint mihi data a vobis, cum ea attemptentur eius lingua, cuius antea manu eversa vos mihi et liberis meis manibus vestris reddidistis, non ego de meis, sed de vestris factis loquor, nec vereor ne haec mea vestrorum beneficiorum praedicatio non grata potius quam adrogans videatur.
17 Quamquam, si me tantis laboribus pro communi salute perfunctum efferret aliquando ad gloriam in refutandis maledictis hominum improborum animi quidam dolor, quis non ignosceret ? Vidi enim hesterno die quemdam murmurantem : quem aiebant negare ferri

[a] Consul in the first year of the republic 509.

course decreed that whosoever should lay violent hands upon my house should be guilty of an act
16 against the state. I assert that there is no public work, no monument, and no temple concerning which so many senatorial decrees have been registered as my house, the only house since the foundation of the city which the senate has thought fit should be erected from the public treasury, absolved by the pontiffs, protected by the magistrates, and avenged by the juries. In recognition of his signal services to the republic Publius Valerius [a] was presented by the state with a house upon the Velian hill, but my house upon the Palatine was restored by the state; he was furnished with a site, but I was furnished with walls and roof as well; he was given a house to defend by his own efforts and upon his own private title, mine was to be defended as a matter of public interest by all the magistrates. Had I to thank myself for this, or had I received it from any other source, I should not thus proclaim it to you, lest I should seem over-boastful; but as it is, since it is to you that I owe this gift, and since his tongue is now assailing what his hand before overthrew, though it has since been restored by your hands to me and to my children, it is not of my own deeds but of yours that I am speaking, and I have no fear lest my present eulogy of your kindness should seem prompted rather by self-satisfaction than by
17 gratitude. And yet if, after having faced such bitter toils for the welfare of the community, a sense of resentment, as I refuted the slanders of the unscrupulous, should lead me so far to forget myself as to boast, who would not pardon me? Yesterday I marked one that muttered beneath his breath;

me posse, quia cum ab hoc eodem impurissimo parricida rogarer cuius essem civitatis, respondi me, probantibus et vobis et equitibus Romanis, eius esse, quae carere me non potuisset. Ille, ut opinor, ingemuit. Quid igitur responderem ? quaero ex eo ipso, qui ferre me non potest. Me civem esse Romanum ? Litterate respondissem. An tacuissem. Desertum negotium. Potest quisquam vir in rebus magnis cum invidia versatus satis graviter in inimici contumeliis sine sua laude respondere ? At ipse non modo respondet quidquid potest, cum est lacessitus, sed etiam gaudet se ab amicis quid respondeat admoneri.

18 IX. Sed quoniam mea causa expedita est, videamus nunc quid haruspices dicant. Ego enim fateor me et magnitudine ostenti et gravitate responsi et una atque constanti haruspicum voce vehementer esse commotum : neque is sum, qui, si cui forte videor plus quam ceteri, qui aeque atque ego sunt occupati, versari in studio litterarum, his delecter aut utar omnino litteris, quae nostros animos deterrent atque avocant a religione. Ego vero primum habeo auctores ac magistros religionum colendarum maiores

and I was told that he murmured that I was intolerable, because, when this same loathsome traitor asked me to what state I belonged, I answered, amid the plaudits of yourselves and of the Roman knights, "To a state which could not exist without me." My reply drew a groan from the man, I believe. And what other reply could I have given? I put the question to that very man who finds me intolerable. Should I have replied that I was a citizen of Rome? I should have answered to the letter of his question. Ought I to have remained speechless? It would have signified surrender. Is there any man, whose weighty activities have gained him enemies, who can reply with adequate impressiveness to the insults of an opponent without glorifying himself? But Clodius himself, when challenged, not only makes any reply that occurs to him, but is only too relieved that he has friends ready to prompt him how to answer.

18 IX. But since the question affecting myself has been satisfactorily disposed of, let us now consider what the soothsayers say. For I must admit that I have been deeply impressed both by the awe-inspiring nature of the prodigy and the solemnity of its interpretation, and the firm and unwavering utterances of the soothsayers; and indeed, though I may perhaps appear to some to be a greater student of literature than others whose lives are as full of distractions as my own, my natural bent does not lead me to find any pleasure in, or indeed any use whatsoever for, such literature as tends to discourage and withdraw our minds from religion. In the first place, speaking for myself, I look for authority and guidance in religious observance to our ancestors, whose

nostros : quorum mihi tanta fuisse sapientia videtur, ut satis superque prudentes sint, qui illorum prudentiam, non dicam adsequi, sed quanta fuerit perspicere possint : qui statas sollemnesque caerimonias pontificatu, rerum bene gerundarum auctoritates augurio, fatorum veteres praedictiones Apollinis vatum libris, portentorum explanationes Etruscorum disciplina contineri putaverunt : quae quidem tanta est, ut nostra memoria primum Italici belli funesta illa principia, post Sullani Cinnanique temporis extremum paene discrimen, tum hanc recentem urbis inflammandae delendique imperii coniurationem non
19 obscure nobis paullo ante praedixerint. Deinde, si quid habui otii, etiam cognovi, multa homines doctos sapientesque et dixisse et scripta de deorum immortalium numine reliquisse : quae quamquam divinitus perscripta video, tamen eius modi sunt, ut ea maiores nostri docuisse illos, non ab illis didicisse videantur. Etenim quis est tam vaecors qui aut cum suspexit in caelum, deos esse non sentiat et ea, quae tanta mente fiunt, ut vix quisquam arte ulla ordinem rerum ac necessitudinem persequi possit, casu fieri putet, aut cum deos esse intellexerit, non intelligat eorum

[a] As there was no early philosophic writing in Latin, this must refer to the Greek philosophers. If it does so refer, the statement here made becomes startling !

wisdom seems to me to have been so unquestionable that those who are able, I will not say to reach the level of, but only to have gained an insight into, their sagacity, themselves possess sagacity which is sufficient, and more than sufficient. In their view, all prescribed and liturgical ceremonies depended upon the Pontificate, and all regulations determining auspicious action upon augury ; they thought that the ancient prophecies of the oracle of Apollo were comprised in the books of the seers, and all interpretations of prodigies in the lore of the Etruscans ; and indeed the efficacy of this last is shown by the fact that even in our memory unmistakable predictions were given shortly before each event, first of the calamitous outbreak of the Italian war, later of the perilous days of Sulla and Cinna that so nearly proved fatal, and more recently still, of the con-
19 spiracy to burn and destroy the city. In the second place, such leisure as I have had has enabled me to learn that wise and inspired men have uttered numerous maxims and left behind them numerous writings dealing with the deity of the immortal gods ; and though I realize that these works are inspired of heaven, still their nature is such that our ancestors seem to have taught the writers rather than learned from them.[a] And, indeed, who is so witless that, when he gazes up into heaven, he fails to see that gods exist, and imagines that chance is responsible for the creations of an intelligence so transcendent that scarce can the highest artistry do justice to the immutable dispositions of the universe ? Or who, once convinced that divinity does exist, can fail at the same time to be convinced that it is by its power that this great

numine hoc tantum imperium esse natum et auctum et retentum ? Quam volumus licet, patres conscripti, ipsi nos amemus, tamen nec numero Hispanos nec robore Gallos nec calliditate Poenos nec artibus Graecos nec denique hoc ipso huius gentis ac terrae domestico nativoque sensu Italos ipsos ac Latinos, sed pietate ac religione atque hac una sapientia, quod deorum numine omnia regi gubernarique perspeximus, omnes gentes nationesque superavimus.

20 X. Qua re ne plura de re minime loquar dubia, adhibete animos et mentes vestras, non solum aures, ad haruspicum vocem admovete : QUOD IN AGRO LATINIENSI AUDITUS EST STREPITUS CUM FREMITU. Mitto haruspices, mitto illam veterem ab ipsis dis immortalibus, ut hominum fama est, Etruriae traditam disciplinam : nos nonne haruspices esse possumus ? EXAUDITUS IN AGRO PROPINQUO ET SUBURBANO EST STREPITUS QUIDAM RECONDITUS ET HORRIBILIS FREMITUS ARMORUM. Quis est ex gigantibus illis, quos poëtae ferunt bellum dis immortalibus intulisse, tam impius qui hoc tam novo tantoque motu non magnum aliquid deos populo Romano praemonstrare et praecinere fateatur ? De ea re scriptum est : POSTILIONES [1] ESSE IOVI, SATURNO, NEPTUNO, TELLURI, DIS CAELESTI-
21 BUS. Audio quibus dis violatis expiatio debeatur, sed

[1] postiliones *Orelli's corr. for more familiar* postulationes *of* MSS.

[a] It is uncertain where these were ; Manutius says " in the suburbs." The adjective in this pecular form seems not to be found except in this speech.

empire has been created, extended, and sustained? However good be our conceit of ourselves, conscript fathers, we have excelled neither Spain in population, nor Gaul in vigour, nor Carthage in versatility, nor Greece in art, nor indeed Italy and Latium itself in the innate sensibility characteristic of this land and its peoples; but in piety, in devotion to religion, and in that special wisdom which consists in the recognition of the truth that the world is swayed and directed by divine disposal, we have excelled every race and every nation.

20 X. Wherefore, to speak at no further length upon a matter that admits of no doubt, give me your attention, and apply your minds, and not your ears alone, to this sentence in the pronouncement of the soothsayers: "Inasmuch as a rumbling and a noise have been heard in the Latin Lands.[a]" I will dispense with the soothsayers; I will dispense with the lore which, as popular rumour has it, was committed to Etruria by the immortal gods; for cannot we ourselves be our own soothsayers? "In the immediate outskirts of the city there has been heard a subterranean rumbling and an awful noise as of arms." Who, even from among those giants who, as the poets tell us, waged war against the immortal gods, is so impious as not to confess that in this strange and dire upheaval the gods are prophesying and predicting some mighty destiny for the Roman people? "Arrears of sacrifice are due to Jupiter, Saturn, Neptune, Earth, and to the gods of heaven": that is how the pronouncement in
21 connexion with this event runs. I am told here the names of the gods whose dishonour imposes upon us the duty of expiation, but I have yet to

hominum quae ob delicta quaero. LUDOS MINUS DILIGENTER FACTOS POLLUTOSQUE. Quos ludos? Te appello, Lentule,—tui sacerdotii sunt tensae, curricula, praecentio, ludi, libationes epulaeque ludorum, —vosque, pontifices, ad quos epulones Iovis optimi maximi, si quid est praetermissum aut commissum, adferunt, quorum de sententia illa eadem renovata atque instaurata celebrantur: qui sunt ludi minus diligenter facti? quando aut quo scelere polluti? Respondebis et pro te et pro collegis tuis, etiam pro pontificum collegio, nihil cuiusquam aut negligentia contemptum aut scelere esse pollutum: omnia sollemnia ac iusta ludorum, omnibus rebus observatis, summa cum caerimonia esse servata.

22 XI. Quos igitur haruspices ludos minus diligenter factos pollutosque esse dicunt? eos, quorum ipsi di immortales atque illa mater Idaea te, te, Cn. Lentule, cuius abavi manibus esset accepta, spectatorem esse voluit. Quod ni tu Megalesia illo die spectare voluisses, haud scio an vivere nobis atque his de rebus iam queri non liceret. Vis enim innumerabilis incitata ex omnibus vicis collecta servorum ab hoc aedile religioso repente e fornicibus ostiisque omnibus in

[a] A deity worshipped in Phrygia as Cybele, identified with Cretan Rhea; her cult was introduced into Rome (204) by P. Scipio Africanus. The Megalesia were held in her honour (Apr. 4–9).

[b] Clodius.

learn in what human misdoings this dishonour consists. "The games have been performed with laxity, and have been desecrated." What games? I appeal to you, Lentulus, for to your sacred office belong the processional chariots and cars, the preliminary chant, the games, and the libations and banquets attached thereto, and to you, pontiffs, to whom all faults of ceremonial omission and commission are reported by the sacred stewards of Jupiter Best and Greatest, and upon whose judgement those ceremonies are recommenced and repeated. What are these games that have been performed with laxity, and when or by what crime have they been desecrated? You will answer on behalf of yourselves and your colleagues, and indeed of the whole Pontifical College, that there has been no oversight due to anyone's neglect, no desecration due to anyone's crime; all the prescriptions and regulations of the games have been observed with irreproachable scruple and punctilious ceremony.

22 XI. What games, then, are these which the soothsayers assert to have been performed with laxity and to have been desecrated? They are the games of which the immortal gods themselves and the great Idaean Mother [a] willed that you, you, Gnaeus Lentulus, whose grandsire's grandsire with his own hands welcomed her, should be a spectator. For had you not on that day chosen to view the games of the Great Mother, it is my belief that we should not have been permitted to survive and raise our present protest. For innumerable bands of slaves that had been mustered by this scrupulous aedile [b] from every quarter of the city, and had been incited for the occasion, were suddenly let loose upon us

scaenam signo dato immissa irrupit. Tua tum, tua, Cn. Lentule, eadem virtus fuit, quae in privato quondam tuo proavo : te, nomen, imperium, vocem, aspectum, impetum tuum stans senatus equitesque Romani et omnes boni sequebantur, cum ille servorum eludentium multitudini senatum populumque Romanum vinctum ipso consessu et constrictum spectaculis atque impeditum turba et angustiis tradi-
23 disset. An si ludius constitit aut tibicen repente conticuit aut puer ille patrimus et matrimus si tensam non tenuit, si lorum omisit, aut si aedilis verbo aut simpuvio aberravit, ludi sunt non rite facti, eaque errata expiantur et mentes deorum immortalium ludorum instauratione placantur : si ludi ab laetitia ad metum traducti, si non intermissi, sed perempti atque sublati sunt, si civitati universae scelere eius, qui ludos ad luctum conferre voluit, exstiterunt dies illi pro festis paene funesti, dubitabimus quos ille
24 fremitus nuntiet ludos esse pollutos ? Ac si volumus ea, quae de quoque deo nobis tradita sunt, recordari, hanc matrem magnam, cuius ludi violati, polluti,

[a] *i.e.* " flaws in matters of form invalidate the proceedings, much more a general disturbance."

from every archway and entry, and at a given signal burst on to the stage. Then it was that you, yes, you, Lentulus, showed the same courage as your great-grandfather showed of old in a private capacity; it was you, your name, your authority, your utterance, your majestic presence, and your resolute vigour, in support of which the senate and the knights of Rome and all true patriots rose to their feet, when Clodius exposed that senate and that Roman people to the mercies of a mob of jeering slaves, imprisoned and rendered powerless as they were in the tightly packed seats of the auditorium, and hampered by the confusion of the narrow exits.

23 What? If the dancer has stood still, or if the flute-player has suddenly become mute, if the boy whose father and mother are alive has not kept to his chariot or has let the rein slip, if the aedile made a mistake in the formula or in the handling of the sacred vessel, then the games have not been duly performed, expiation is offered for the mistakes, and the feelings of the immortal gods are appeased by a recommencement of the games; and when the spirit of the games has been changed from joy to terror, when they have been not merely interrupted, but irreparably ruined, and when its dates, for the whole state, have become, not festal, but fatal, through the wickedness of one who wished to turn merry-making to mourning, shall we have any doubt what games are those which this noise declares to

24 have been desecrated?[a] Further, if we will only call to mind the traditions we have received concerning our several deities, we shall surely remember to have heard that this Great Mother, whose games have been polluted, desecrated, and even made an

paene ad caedem et ad funus civitatis conversi sunt, hanc, inquam, accepimus agros et nemora cum quodam strepitu fremituque peragrare. XII. Haec igitur vobis, haec populo Romano et scelerum indicia ostendit et periculorum signa patefecit.

Nam quid ego de illis ludis loquar, quos in Palatio nostri maiores ante templum in ipso matris magnae conspectu Megalesibus fieri celebrarique voluerunt? qui sunt more institutisque maxime casti, sollemnes, religiosi, quibus ludis primum ante populi consessum senatui locum P. Africanus iterum consul ille maior dedit, ut eos ludos haec lues impura polluerit: quo si qui liber aut spectandi aut etiam religionis causa accesserat, manus adferebantur: quo matrona nulla adiit propter vim consessumque servorum: ita ludos eos, quorum religio tanta est, ut ex ultimis terris arcessita in hac urbe consederit: qui uni ludi ne verbo quidem appellantur Latino, ut vocabulo ipso te appetita religio externa et matris magnae nomine suscepta declaretur, hos ludos servi fecerunt, servi spectaverunt, tota denique hoc aedile servorum Megalesia
25 fuerunt. Pro di immortales! qui magis nobiscum loqui possetis, si essetis versareminique nobiscum? ludos esse pollutos significastis ac plane dicitis. Quid

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[a] *Illis* here is difficult. It suggests a mention of some games other than the Megalesia, and Livy says that it was in connexion with the Ludi Romani that P. Scipio made these arrangements (xxxiv. 54).

occasion of massacre and fatality to the community, yes, that even she walks abroad through our fields and woods to the accompaniment of strange murmurs and rumblings. XII. Surely, then, it is none other than she who has manifested these intimations of guilt and displayed these signals of danger to the Roman people.

For why enlarge upon those games,[a] which our ancestors decreed should be performed and celebrated on the Palatine before the temple and under the very eyes of the Great Mother upon the days known as Megalesia; games which are by tradition and by usage pious, solemn, and venerable beyond all others; games whereat the elder Publius Africanus, when consul for the second time, gave the first view to the senate before the people had assembled; and all this, that these same games might be desecrated by this loathsome blight? Yes! games where any freeman who came as spectator or even out of piety was mishandled, where no matron dared approach, for fear of violence from the throngs of slaves. So these games, the sanctity whereof is so deep that it has been summoned from distant lands and planted in this city, the only games which are not even called by a Latin name, that their very title might indicate the domestication of a foreign cult, adopted in honour of the Great Mother, these games, I say, were performed by slaves, viewed by slaves, and were indeed converted under Clodius'
25 aedileship into a Megalesia of slaves. Ye immortal gods! how could ye speak with us more clearly, if ye were with us and moving in our midst? Ye have signified and ye openly declare that the games have been desecrated. What greater example of pollution,

magis inquinatum, deformatum, perversum, conturbatum dici potest quam omne servitium, permissu magistratus liberatum, in alteram scaenam immissum, alteri praepositum, ut alter consessus potestati servorum obiiceretur, alter servorum totus esset? Si examen apium ludis in scaenam caveamve venisset, haruspices acciendos ex Etruria putaremus: videmus universi repente examina tanta servorum immissa in populum Romanum saeptum atque inclusum et non commovemur? Atque in apium fortasse examine nos ex Etruscorum scriptis haruspices, ut a servitio
26 caveremus, monerent. Quod igitur ex aliquo disiuncto diversoque monstro significatum caveremus, id cum ipsum sibi monstrum est, et cum in eo ipso periculum est, ex quo periculum portenditur, non pertimescemus? Istius modi Megalesia fecit pater tuus? istius modi patruus? Is mihi etiam generis sui mentionem facit, quum Athenionis aut Spartaci exemplo ludos facere maluerit quam Gaii aut Appii Claudiorum? Illi cum ludos facerent, servos de cavea exire iubebant: tu in alteram servos immisisti, ex altera liberos eiecisti. Itaque qui antea voce praeconis a liberis semovebantur, tuis ludis non voce, sed manu liberos a se segregabant. XIII. Ne hoc quidem tibi in mentem veniebat, Sibyllino sacerdoti,

[a] Athenio, leader of slave war in Sicily 104; Spartacus, leader of gladiatorial revolt in Campania 73.

dishonour, distortion, and confusion can be quoted, than that the whole of our slave population, liberated by permission of a magistrate, should have been let loose upon one stage and given control of another, with the result that the audience of one was exposed to the mercy of slaves, while that of the other was composed of slaves alone? Had a swarm of bees come upon the stage or into the auditorium at the games, we should think it necessary to summon soothsayers from Etruria; and do we feel no alarm when not a man of us but sees such numerous swarms of slaves launched suddenly upon the Roman people packed within the walls of a building? Indeed, were a swarm of bees actually in question, the soothsayers might perchance warn us, after reference to their Etrurian books, to beware of our slave population.
26 Were this warning manifested to us by some alien and allegorical portent we should take precautions accordingly; and, when the portent is itself what it portends, and when an event is at once an augury of peril and a peril in itself, are we not terrified? Was it after this fashion that your father held the Megalesia, or your uncle? Does Clodius actually call my attention to his birth, though he has preferred, in his performance of the games, to model himself upon Athenio or Spartacus,[a] rather than upon a Gaius or an Appius of those whose name he bears? When *they* held the games, they bade slaves depart from the auditorium; *you* let slaves loose upon one auditorium, and ejected freemen from the other. Those who of old were separated from the free upon a herald's proclamation, at your games separated the free from themselves not by proclamation but by force.
XIII. Did not even this ever occur to you, priest of

haec sacra maiores nostros ex vestris libris expetisse ? si illi sunt vestri, quos tu impia mente conquiris, violatis oculis legis, contaminatis manibus attrectas.
27 Hac igitur vate suadente quondam, defessa Italia Punico bello atque ab Hannibale vexata, sacra ista nostri maiores ascita ex Phrygia Romae collocarunt : quae vir is accepit, qui est optimus populi Romani iudicatus, P. Scipio, femina autem, quae matronarum castissima putabatur, Q. Claudia : cuius priscam illam severitatem mirifice tua soror existimatur imitata. Nihil te igitur neque maiores tui coniuncti cum his religionibus neque sacerdotium ipsum, quo est haec tota religio constituta, neque curulis aedilitas, quae maxime hanc tueri religionem solet, permovit quo minus castissimos ludos omni flagitio pollueres, dede-
28 core maculares, scelere obligares ? Sed quid ego id admiror ? qui, accepta pecunia, Pessinuntem ipsum, sedem domiciliumque matris deorum, vastaris et Brogitaro Gallograeco, impuro homini ac nefario, cuius legati te tribuno dividere in aede Castoris tuis operis nummos solebant, totum illum locum fanumque vendideris ? sacerdotem ab ipsis aris pulvinaribusque detraxeris ? omnia illa, quae vetustas, quae Persae,

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[a] In Phrygia.
[b] Son-in-law of Deiotarus, tetrarch of Galatia.

the Sibyl that you are, that it was from your books that our ancestors derived this rite?—if, indeed, those books can be called yours, which you search with impious purpose, peruse with jaundiced vision, and
27 handle with contaminated fingers. And it was upon the representations of this prophetess that once, when Italy was worn out by the Carthaginian war and harassed by Hannibal, our ancestors appropriated these rites from Phrygia and established them at Rome. They were welcomed by the man who was judged to be the most exemplary among the Roman people, Publius Scipio, and by the woman who was held to be the chastest of the matrons, Quinta Claudia, whose antique severity your sister is considered to have reproduced to admiration. And did not the association of your ancestors with these rites, or the priestly office from which this cult receives its exclusive authority, or the curule aedileship which has ever been its chief protection, prevail upon you to forbear from desecrating by every enormity, staining by every indignity, and stigmatizing by every crime, games of the most hallowed
28 sanctity? But why should this excite my surprise, when I remember that you were induced by a bribe actually to devastate Pessinus,[a] the very seat and dwelling-place of the Mother of the gods; that to Brogitarus[b] the Gallograecian, an impious and abandoned man, whose emissaries, when you were tribune, used to distribute money to your gangs in the temple of Castor, you sold the whole region of Pessinus with its shrine; that you dragged its priest from the very altars and sacred couches; that you overthrew everything that had at all times been held in deep devotion by past generations, by Persians,

quae Syri, quae reges omnes, qui Europam Asiamque tenuerunt, semper summa religione coluerunt, perverteris? quae denique nostri maiores tam sancta duxerunt, ut cum refertam urbem atque Italiam fanorum haberemus, tamen nostri imperatores maximis et periculosissimis bellis huic deae vota facerent eaque in ipso Pessinunte ad illam ipsam principem
29 aram et in illo loco fanoque persolverent. Quod cum Deiotarus religione sua castissime tueretur, quem unum habemus in orbe terrarum fidelissimum huic imperio atque amantissimum nostri nominis, Brogitaro, ut ante dixi, addictum pecunia tradidisti. Atque hunc tamen Deiotarum, saepe a senatu regali nomine dignum existimatum, clarissimorum imperatorum testimoniis ornatum, tu etiam regem appellari cum Brogitaro iubes. Sed alter est rex iudicio senatus per nos, pecunia Brogitarus per te appellatus: . . .[1] alterum putabo regem, si habuerit unde tibi solvat quod ei per syngraphan credidisti. Nam cum multa regia sunt in Deiotaro tum illa maxime, quod tibi nummum nullum dedit, quod eam partem legis tuae, quae congruebat cum iudicio senatus ut ipse rex esset, non repudiavit, quod Pessinuntem per scelus a te violatum et sacerdote sacrisque spoliatum recuperavit, ut in pristina religione servaret, quod caerimonias ab omni vetustate acceptas a Brogitaro

[1] *Many edd. print a lacuna here.*

[a] The Latin can also bear the meaning "Brogitarus has been dunned through you for a debt": this double meaning cannot be brought out in translation.

by Syrians, and by all kings who have ever held rule in Europe and in Asia, and to which even our own ancestors attributed such sanctity that, though we had at our disposal the city and Italy, both rich in sacred places, our generals made vows to this goddess in their greatest and most perilous wars, vows which they discharged in Pessinus itself, laying their offerings before the principal altar of the shrine in that place.

29 And though this shrine was devotedly watched over with characteristic piety by Deiotarus, whose unflinching loyalty to our empire and ardent attachment to our authority has been absolutely peerless, you adjudicated it and delivered it over to Brogitarus, as I have already mentioned, for a money payment. Moreover, though this Deiotarus has repeatedly been adjudged by the senate to be worthy of the title of king, and though he has been distinguished by the recommendations of our most brilliant generals, you actually order that he shall share that title with Brogitarus. The former, however, owes his kingly title, through us, to the senatorial pronouncement, while Brogitarus owes his, through you, to the price which he paid you.[a] . . . I shall believe the other to be a king when he has found the means to pay you what you advanced him under a note of hand. Deiotarus has many kingly qualities, but in nothing has he shown his character more than in his refusal to give you a single penny ; in not repudiating that clause in your law which agreed with the senate's pronouncement in according him the name of king ; in his recovery of Pessinus, which you had wickedly desecrated and deprived of its priest and its rite, that he might maintain it in its time-honoured cult ; in his not permitting ceremonies which were the

pollui non sinit mavultque generum suum munere tuo quam illud fanum antiquitate religionis carere. Sed ut ad haec haruspicum responsa redeam, ex quibus est primum de ludis, quis est qui id non totum in istius ludos praedictum et responsum esse fateatur ?
30 Sequitur de locis sacris, religiosis. XIV. O impudentiam miram ! de mea domo dicere audes ? Committe vel consulibus vel senatui vel collegio pontificum tuam. Ac mea quidem his tribus omnibus iudiciis, ut dixi antea, liberata est. At in iis aedibus, quas tu, Q. Seio, equite Romano, viro optimo, per te apertissime interfecto, tenes, sacellum dico fuisse et aras. Tabulis hoc censoriis, memoria multorum
31 firmabo ac docebo. Agatur modo haec res, quod ex eo senatus consulto, quod nuper est factum, referri ad vos necesse est, habeo quae de locis religiosis velim dicere. Cum de domo tua dixero, in qua tamen ita est inaedificatum sacellum, ut alius fecerit, tibi tantum modo sit demoliendum, tum videbo num mihi necesse sit de aliis etiam aliquid dicere. Putant enim ad me non nulli pertinere magmentarium [1] Telluris

[1] magm. *Mommsen for* dementarium *of most* MSS., *which is a vox nihili.*

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[a] See note p. 350.

[b] C. here addresses the Senate; in the next sentence he turns again to Clodius. Long says here, "There is no difficulty in translating the rest of the chapter, but it is unintelligible." I fear I can do no more than endorse Long's statement.

bequest of an unbroken past to be polluted by Brogitarus; and in preferring that his son-in-law[a] should lose your bounty rather than that this shrine should lose its immemorial sanctity. But, to return to these responses of the soothsayers, the first clause of which deals with the games, who is there who will not admit that it is the games administered by Clodius to which the declaration and response exclusively refer?

30 There follows the question of consecrated sites, the violation of which is an offence against religion. XIV. O miracle of shamelessness! Have you the face to bring my house into the discussion? Rather resign your own house, to the consuls, or to the senate, or to the College of Pontiffs, as you please. Mine, at all events, has been exonerated by pronouncements of all these three, as I have already shown. But in the house which you are enabled to occupy by your bare-faced murder of that excellent gentleman and Roman knight, Quintus Seius, stood, so I assert, a shrine and altars. I will demonstrate this beyond all doubt by reference to the registers of the censors

31 and the recollection of many persons. Do[b] but let this question be discussed (and in accordance with the decree of the senate which has been recently passed the matter must inevitably come up before you), and I am prepared to say somewhat concerning inviolable sites. When I have finished speaking about your house (I call it yours, but the shrine which it holds is built into it in such a way that, while another constructed it, all you can do is to demolish it), then I shall see whether it is necessary for me to make any further reference to other houses as well. Now there are many who hold that I am responsible for

aperire. Nuper id patuisse dicunt et ego recordor. Nunc sanctissimam partem ac sedem maximae religionis privato dicunt vestibulo contineri. Multa me movent, quod aedes Telluris est curationis meae, quod is, qui illud magmentarium[a] sustulit, meam domum iudicio pontificum liberatam secundum fratrem suum iudicatam esse dicebat : movet me etiam in hac caritate annonae, sterilitate agrorum, inopia frugum religio Telluris et eo magis, quod eodem ostento Telluri
32 postulio deberi dicitur. Vetera fortasse loquimur : quamquam hoc si minus civili iure perscriptum est, lege tamen naturae communi iure gentium sanctum est, ut nihil mortales a dis immortalibus usu capere possint. XV. Verum tamen antiqua negligimus : etiamne ea negligemus, quae fiunt cum maxime, quae videmus ? L. Pisonem quis nescit his temporibus ipsis maximum et sanctissimum Dianae sacellum in Caeliculo sustulisse ? Adsunt vicini eius loci : multi sunt etiam in hoc ordine, qui sacrificia gentilicia, illo ipso in sacello, stato loco, anniversaria factitarint. Et quaerimus di immortales quae loca desiderent,

[a] *Magmentarium*, a rare and archaic word connected with *mactus*, *mactare*.

[b] *i.e.* acquisition of ownership by long use or possession.

[c] Part of the Caelian Hill, sometimes called " Caelius Minor " (Mart. xii. 8).

the fact that the sanctuary [a] in the temple of Earth was exposed to public view. It is said that this exposure took place recently, and I myself recollect it. *Now* it is said that the most sacred part and the spot which is most hallowed is within the limits of a private vestibule. Many considerations weigh with me: first, the temple of Earth comes within the sphere of my administration; next, the man who did destroy that sanctuary [a] was in the habit of asserting that my house, which had been exonerated by the pronouncement of the pontiffs, had been adjudged in his brother's favour. I am also influenced, in the present dearness of corn, failure of crops, and scarcity of provisions, by my devotion to the cult of Earth, the more so because we are told that this prodigy points to arrears of
32 sacrifice being due to Earth. I may perhaps be speaking in an old-fashioned strain; but though not a written law of the civil code, it is none the less a legal ordinance of nature and of the equity which is shared by all nations, that mortals can take by right of usufruct [b] nothing that belongs to the immortal gods. XV. But, neglecting antiquity as we do, shall we also neglect what takes place as never before, what goes on now before our eyes? Surely there can be none of us who does not know that in these very days Lucius Piso has destroyed a magnificent and venerable shrine of Diana, situated on the lesser Caelian.[c] There are those here whose dwellings adjoin the site; and moreover there are many members of this order who have performed the annual sacrifices of their clan in this very shrine, which was the place appointed for such. And do we ask what sites are those of which the immortal gods

quid significent, de quo loquantur ? A Sex. Serrano sanctissima sacella suffossa, inaedificata, oppressa, summa denique turpitudine foedata esse nescimus ?

33 Tu meam domum religiosam facere potuisti ? Qua mente ? quam amiseras. Qua manu ? qua disturbaras. Qua voce ? qua incendi iusseras. Qua lege ? quam ne in illa quidem impunitate tua scripseras. Quo pulvinari ? quod stupraras. Quo simulacro ? quod ereptum ex meretricis sepulcro in imperatoris monumento collocaras. Quid habet mea domus religiosi, nisi quod impuri et sacrilegi parietem tangit ? Itaque ne quis meorum imprudens introspicere tuam domum possit ac te sacra illa tua facientem videre, tollam altius tectum, non ut ego te despiciam, sed tu ne aspicias urbem eam, quam delere voluisti.

34 XVI. Sed iam haruspicum reliqua responsa videamus. ORATORES CONTRA IUS FASQUE INTERFECTOS. Quid est hoc ? de Alexandrinis esse video sermonem : quem ego non refuto. Sic enim sentio, ius legatorum, quum hominum praesidio munitum sit, tum etiam divino iure esse vallatum. Sed quaero ab illo,

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[a] See *De domo sua*, Chap. XLIII.

[b] Assassinated through the intrigues of Ptolemy.

feel themselves deprived? Do we ask what is the meaning or theme of their utterance? Are we ignorant that Sextus Serranus has undermined, or walled up, or overthrown, or even defiled with the lowest infamy, shrines of the deepest sanctity?
33 Could *you*, Sir, attach inviolability to my house? What reflection could you have acted upon, you, who had abandoned all reflection? What agency of yours effected this, when you had been an agent but for its destruction? Where was the voice that declared its sanctity, when yours had but given the word for its conflagration? Or where the law that enacted it, when you had indited none such, even in the days of your impunity? Where was the sacrificial couch? You had employed it but for adultery. Where the image? One that you had filched from a harlot's tomb and planted upon a great general's monument.[a] What other inviolability does my house possess, save that it adjoins the walls of an impure and sacrilegious man? Wherefore, that none of my dear ones may be able inadvertently to look through the windows of your house, and see you performing those rites of yours, I will raise its stories higher, not that I may look down upon you, but that you may not gaze upon the city which you desired to destroy.

34 XVI. Let us now consider the remaining answers of the soothsayers. "Ambassadors have been slain contrary to law human and divine." What is the meaning of this? I see that it is popularly referred to the Alexandrian legates[b]; and I do not gainsay the opinion. For I hold that ambassadorial rights, fortified as they are by human protection, are also reinforced by divine ordinance. But I ask him who, when

qui omnes indices tribunus e carcere in forum effudit, cuius arbitrio sicae nunc omnes atque omnia venena tractantur, qui cum Hermarcho Chio syngraphas fecit, ecquid sciat unum acerrimum adversarium Hermarchi, Theodosium, legatum ad senatum a civitate libera missum, sica percussum? quod non minus quam de Alexandrinis indignum dis immortalibus
35 esse visum certo scio. Nec confero nunc in te unum omnia. Spes maior esset salutis, si praeter te nemo esset impurus: plures sunt: hoc et tu tibi confidis magis et nos prope iure diffidimus. Quis Platorem ex Orestide, quae pars Macedoniae libera est, hominem in illis locis clarum ac nobilem, legatum Thessalonicam ad nostrum, ut se ipse appellavit, imperatorem venisse nescit? quem ille propter pecuniam, quam ab eo extorquere non poterat, in vincla coniecit et medicum intromisit suum qui legato, socio, amico, libero foedissime et crudelissime venas incideret. Secures suas cruentari scelere noluit: nomen quidem populi Romani tanto scelere contaminavit, ut id nulla re possit nisi ipsius supplicio expiari. Quales hunc carnifices putamus habere, qui etiam medicis suis non ad salutem, sed ad necem utatur?

36 XVII. Sed recitemus quid sequatur. FIDEM IUSQUE IURANDUM NEGLECTUM. Hoc quid sit per se ipsum

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[a] We know nothing of these *legati* save what we are told here.

[b] Piso; he "had certainly been saluted as Imperator by his soldiers, but the senate had not recognized him as such" (Klotz).

tribune, let loose a flood of informers from prison upon the forum, him at whose mandate alone the dagger and the poisoned draught go about their work, him who made out the notes of hand with Hermarchus the Chian, whether he has any knowledge of the fact that Theodosius,[a] the bitterest of all the enemies of Hermarchus, was stabbed with a dagger when acting as the ambassador of a free community to the senate. I am perfectly sure that this act was no less shameful in the eyes of the immortal gods than the murder
35 of the Alexandrians. Not that I now impute all these crimes solely to you. We should have better assurance of well-being if none save you were tainted: but there are others; and this fact, which increases your confidence, makes us, almost justly, less confident. Is it not an acknowledged fact that one Plator,[a] a noble and a celebrity in his own land, came from Orestis, a free district of Macedonia, to Thessalonica upon a mission to our "general," [b] as he calls himself? Or that Clodius, failing to extort from him a sum of money, threw him into prison, and dispatched thither his physician that he might most abominably and brutally open the veins of an ambassador, who was our independent ally and friend? He would not stain his axes with the blood of outrage; but he defiled the name of the Roman people with outrage so foul, that there are no means of expiating it save by the condign punishment of the perpetrator. What manner of men are we to think are his executioners, when he employs even his physicians not to save life, but to take it?

36 XVII. But let us read on and see what follows. "Fealty and oath has been neglected." The meaning of this clause, if taken independently, I find

non facile interpretor, sed ex eo, quod sequitur, suspicor de tuorum iudicum manifesto periurio dici, quibus olim erepti essent nummi, nisi a senatu praesidium postulassent. Qua re autem de his dici suspicer haec causa est, quod sic statuo, et illud in hac civitate esse maxime illustre atque insigne periurium et te ipsum tamen in periurii crimen ab iis, quibuscum coniurasti, non vocari.

37 Et video in haruspicum responsum haec esse subiecta : SACRIFICIA VETUSTA OCCULTAQUE MINUS DILIGENTER FACTA POLLUTAQUE. Haruspices haec loquuntur an patrii penatesque di ? Multi enim sunt, credo, in quos huius maleficii suspitio cadat. Quis praeter hunc unum ? Obscure dicitur quae sacra polluta sint ? quid planius, quid religiosius, quid gravius dici potest ? VETUSTA OCCULTAQUE. Nego ulla verba Lentulum, gravem oratorem ac disertum, saepius, cum te accusaret, usurpasse quam haec, quae nunc ex Etruscis libris in te conversa atque interpretata dicuntur. Etenim quod sacrificium tam vetustum est quam hoc, quod a regibus aequale huius urbis accepimus ? Quod autem tam occultum quam id, quod non solum curiosos oculos excludit, sed etiam errantes ? quo non modo improbitas, sed ne impru-

[a] *i.e.* the jury who sat when Clodius was prosecuted for impiety in the Bona Dea affair.

[b] Showing, *i.e.*, that Clodius had bribed *and paid*. But *tamen* in the Latin adds to the obscurity.

difficulty in explaining, but the context leads me to suspect that the reference is to the perjury which is universally admitted to have been practised by jurymen of yours,[a] who once would have had their money wrested from them by force had they not appealed to the protection of the senate. And the reason for my suspicion that it is to this that the response refers is that this, as I hold, is the most glaring and outstanding instance of perjury of which this state has record, and that, in spite of this, no charge of perjury is laid against yourself by those with whom you conspired.[b]

37 I see that this further addition has been made to the response of the soothsayers: "Ancient and secret sacrifices have been performed with laxity, and have been desecrated." Is it the soothsayers who utter these words, or the gods of our ancestors and of our households? For we are to believe that there are many on whom suspicion of this misdemeanour may fall. But on whom could it fall save on Clodius alone? Is it stated ambiguously what rites are those that have been desecrated? What statement could be clearer, more peremptory, or more impressive? "Ancient and secret." Why, when that grave and eloquent orator Lentulus accused you, there were no words of which he made more frequent use than these which are now quoted from the Etruscan books, and interpreted as pointing directly at you. And indeed what sacrifice is so ancient as that which we received from our kings, and which is coeval with our city? Or what so secret as that which fences itself against the eyes not only of the inquisitive, but even of the idle, and to which access is debarred, not merely from wickedness, but

dentia quidem possit intrare? quod quidem sacrificium nemo ante P. Clodium omni memoria violavit, nemo umquam adiit, nemo neglexit, nemo vir aspicere non horruit: quod fit per virgines Vestales, fit pro populo Romano, fit in ea domo, quae est in imperio, fit incredibili caerimonia, fit ei deae, cuius ne nomen quidem viros scire fas est: quam iste idcirco Bonam dicit, quod in tanto sibi scelere ignoverit. XVIII. Non ignovit, mihi crede, non. Nisi forte tibi esse ignotum putas, quod te iudices emiserunt excussum et exhaustum, suo iudicio absolutum, omnium condemnatum, aut quod oculos, ut opinio illius re-
38 ligionis est, non perdidisti. Quis enim ante te sacra illa vir sciens viderat, ut quisquam poenam quae sequeretur id scelus scire posset? an tibi luminis obesset caecitas plus quam libidinis? ne id quidem sentis, coniventes illos oculos abavi tui magis optandos fuisse quam hos flagrantes sororis? Tibi vero, si diligenter attendes, intelliges hominum poenas deesse adhuc, non deorum. Homines te in re foedissima defenderunt: homines turpissimum nocentissimumque laudarunt: homines prope confitentem iudicio liberaverunt: hominibus iniuria tui stupri illata in ipsos dolori non fuit: homines tibi arma alii

[a] Cic. nicknamed Clodia by the Homeric epithet *βοῶπις*, "ox-eyed" (*Ad Att.* ii. 9). See also note on Ap. Claudius Caecus, *De domo sua*, Chap. XL.

even from inadvertency? A sacrifice, too, which none in all history violated before Publius Clodius, none ever approached, none made light of; a sacrifice from the sight of which no man but shrank with horror; a sacrifice performed by Vestal Virgins on behalf of the Roman people, performed in the house of a magistrate and with the most exact ceremonial, in honour of a goddess whose very name men are not permitted to know, whom Clodius addresses as "Good" on the ground that she has forgiven his fearful wickedness. XVIII. No, believe me, she has not forgiven you; unless, indeed, you imagine yourself forgiven because your judges, having shaken the last penny from your pockets, sent you forth acquitted by their verdict, though condemned by that of the world at large, or because you did not suffer loss of sight, which sacrilege against that rite
38 is popularly held to involve. But what man before you had deliberately looked upon those rites, so that we might be informed as to what penalty was the natural consequence of such a crime? Or could blinded sight be a sterner retribution upon you than your blind lust? Is even this lost upon you, that your ancestor's sightless eyes were more desirable possessions than your sister's "wells of fire [a]"? In your case, if you will mark my words closely, you will find that it is human, and not divine, retribution that has hitherto been lacking. It was by mortals that you were defended in this loathsome business, from mortals that your deep guilt and degradation drew praise, mortals who gave you a verdict of acquittal though you all but avowed your sin, mortals who expressed no resentment at the affront which your adultery had inflicted upon them, mortals who

in me, alii post in illum invictum civem dederunt: hominum beneficia prorsus concedo tibi iam maiora
39 non esse quaerenda. A dis quidem immortalibus quae potest homini maior esse poena furore atque dementia? nisi forte in tragoediis, quos vulnere ac dolore corporis cruciari et consumi vides, graviores deorum immortalium iras subire quam illos, qui furentes inducuntur, putas. Non sunt illi eiulatus et gemitus Philoctetae tam miseri, quamquam sunt acerbi, quam illa exsultatio Athamantis et quam senium matricidarum. Tu, cum furiales in contionibus voces mittis, cum domos civium evertis, cum lapidibus optimos viros foro pellis, cum ardentes faces in vicinorum tecta iactas, cum aedes sacras inflammas, cum servos concitas, cum sacra ludosque conturbas, cum uxorem sororemque non discernis, cum quod ineas cubile non sentis, tum baccharis, tum furis, tum das eas poenas, quae solae sunt hominum sceleri a dis immortalibus constitutae. Nam corporis quidem nostri infirmitas multos subit casus per se: denique ipsum corpus tenuissima de causa saepe conficitur: deorum tela in impiorum mentibus figuntur. Qua re miserior es, cum in omnem fraudem raperis oculis, quam si omnino oculos non habueris.

40 XIX. Sed quoniam de iis omnibus, quae haruspices

[a] Pompey.

[b] A character in Greek tragedies now lost. He was stricken with madness by Hera, and killed his son Learchus.

put into your hands weapons to be used either against me, or, later, against our invincible fellow-citizen[a]; mortals, I grant you freely, have done you
39 benefits that could not be exceeded. But what punishment could be visited upon a man by the immortal gods severer than madness and infatuation? Unless, indeed, you can think that those tragic heroes you see upon the stage, tortured and worn by the anguish of physical wounds, are meeting a direr visitation of divine anger than those who are represented to us raving. The shrieks and groans of Philoctetes, heart-rending though they be, do not speak such wretchedness as the exulting cries of Athamas[b] or the remorse of long-lived matricides. When you utter your frenzied phrases at mob-meetings, when you overturn the houses of citizens, when you drive honest men with stones from the forum, when you hurl blazing torches on your neighbours' roofs, when you set fire to sacred buildings, when you stir up slaves, when you throw sacrifices and games into turmoil, when you know no distinction between wife and sister, when you bethink you not what bed-chamber you enter, then, then it is that *you* rave in delirium, and undergo the only punishments determined by the immortal gods to requite the wickedness of men. The very frailty of our physical structure exposes it to many disasters; and, indeed, often the structure is even destroyed by the slightest of influences; but it is against the *minds* of the wicked that the darts of the gods are launched. Wherefore you are more wretched when your eyes only serve to hurry you into all manner of crime than if you had no eyes at all.

40 XIX. But since we have now said enough with

commissa esse dicunt, satis est dictum, videamus quid iidem haruspices iam a dis immortalibus dicant moneri. Monent: NE PER OPTIMATIUM DISCORDIAM DISSENSIONEMQUE PATRIBUS PRINCIPIBUSQUE CAEDES PERICULAQUE CREENTUR, AUXILIOQUE DIVINITUS DEFICIANTUR, †QUA RE AD UNUM IMPERIUM PROVINCIAE REDEANT EXERCITUSQUE DEMINUTIOQUE ACCEDAT.†[1] Haruspicum verba sunt haec omnia: nihil addo de meo. Quis igitur optimatium discordiam molitur? Idem iste, nec ulla vi ingenii aut consilii sui, sed quodam errore nostro: quem quidem ille, quod obscurus non erat, facile perspexit. Hoc enim etiam turpius adflictatur res publica, quod ne ab eo quidem vexatur, ut tamquam fortis in pugna vir acceptis a forti adversario vulneribus adversis honeste cadere videatur.

41 Ti. Gracchus convellit statum civitatis: qua gravitate vir! qua eloquentia! qua dignitate! nihil ut a patris avique Africani praestabili insignique virtute, praeterquam quod a senatu desciverat, deflexisset. Secutus est C. Gracchus: quo ingenio! qua eloquentia! quanta vi! quanta gravitate dicendi! ut dolerent boni non illa tanta ornamenta ad meliorem mentem voluntatemque esse conversa. Ipse Saturninus ita fuit effrenatus et paene demens, ut auctor

[1] qua re . . . accedat: *the* MSS. *are hopeless here; we should perhaps read with Lambinus* ad unius imperium res redeat (*see Chap. XXV.*), *which I translate.*

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[a] See critical note.

[b] Adherent of Marius; *trib. plebis* 100.

regard to the misdoings alleged by the soothsayers to have been committed, let us see what is the warning which these soothsayers assert is given to us by the immortal gods. The warning is this: "Let not death and danger be wrought for the fathers and for statesmen by reason of the discord and division of the nobles, and let them not be bereft of divine power; and let the state lapse not to the rule of one." [a] I have quoted the sentence of the soothsayers to the letter, inserting not a syllable of my own. Well, who is fomenting discord among the nobles? Clodius again, and he is enabled to do this not by any powers of intellect or political skill, but by a spirit of delusion which is upon *us*; he has been quick to recognize this spirit, and indeed its presence was palpable. For the very fact that not even Clodius assails the republic openly only makes her degradation the more humiliating; were he to do so, she would at least seem to fall honourably, even as the brave warrior who, doing battle with a foeman no less brave, takes all his wounds in front.

41 The stability of the community was shattered by Tiberius Gracchus, so distinguished by strength of character, by eloquence, and by reputation, that, save for his desertion of the senatorial cause, he had swerved not in the least degree from the eminent and remarkable qualities of his father and his grandfather Africanus. His policy was followed by Gaius Gracchus, whose genius, eloquence, vigour, and impressive utterances only inspired patriots with regret that such superb endowments were not applied to better purposes and ambitions. Saturninus [b] himself was so unrestrained, and almost unbalanced, that he wielded an extraordinary influence, and was a

esset egregius et ad animos imperitorum excitandos inflammandosque perfectus. Nam quid ego de Sulpicio loquar? cuius tanta in dicendo gravitas, tanta iucunditas, tanta brevitas fuit, ut posset vel ut prudentes errarent vel ut boni minus bene sentirent perficere dicendo. Cum his conflictari et pro salute patriae cotidie dimicare erat omnino illis, qui tum rem publicam gubernabant, molestum, sed habebat ea molestia quamdam tamen dignitatem.

42 XX. Hic vero, de quo ego ipse tam multa nunc dico, proh di immortales! quid est? quid valet? quid adfert, ut tanta civitas, si cadet, quod di omen obruant! a viro tamen confecta videatur? qui post patris mortem primam illam aetatulam suam ad scurrarum locupletium libidines detulit, quorum intemperantia expleta in domesticis est germanitatis stupris volutatus: deinde iam robustus provinciae se ac rei militari dedit atque ibi piratarum contumelias perpessus, etiam Cilicum libidines barbarorumque satiavit: post exercitu L. Luculli sollicitato per nefandum scelus fugit illim Romaeque recenti adventu suo cum propinquis suis decidit ne reos faceret, a Catilina pecuniam accepit ut turpissime praevaricaretur. Inde cum Murena se in Galliam contulit, in qua provincia mortuorum testamenta conscripsit, pupillos necavit, nefarias cum multis scelerum

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[a] P. S. Rufus, *trib. plebis* 88, one of the most powerful orators of his day.

[b] When campaigning against Tigranes in Armenia 68.

consummate exciter and inflamer of the unschooled mind. What need to speak of Sulpicius,[a] whose oratorical style was marked by such weight, charm, and terseness, that his words could lead even the wise astray, and undermine the loyalty even of the loyal? To grapple with such men as these, to join issue with them daily for our country's sake, was a task which the statesmen of the day found wholly burdensome; and yet the very fact of its being burdensome lent it a certain dignity.

42 XX. But as for this fellow upon whom even I myself am now spending so many words, what is he, ye gods! What power does he possess, what influence does he exert, in virtue of which this great state may be said, should it fall (which heaven forfend!), at least to have been overthrown by a Man? After his father's death he surrendered the early years of his callow youth to the evil passions of wealthy debauchees, and when he had sated their incontinency he wallowed in domestic adultery in defiance of natural kinship. In due course, with the growth of physical vigour, he entered upon provincial duties and a military career, and incidentally endured the insults of pirates and glutted the lusts even of Cilicians and barbarians. Then, after having endeavoured, with abominable wickedness, to sap the loyalty of the army of Lucius Lucullus,[b] he fled thence and came to Rome, where, shortly after his arrival, he compounded with his kinsfolk, whom he had threatened with arraignment, and received a bribe from Catiline to join him in a nefarious collusion. He then proceeded with Murena to Gaul, and in this province he forged dead men's wills, murdered wards, and formed many criminal

pactiones societatesque conflavit: unde ut rediit, quaestum illum maxime fecundum uberemque campestrem totum ad se ita redegit, ut homo popularis fraudaret improbissime populum, idemque vir clemens divisores omnium tribuum domi ipse suae
43 crudelissima morte mactaret. Exorta est illa rei publicae, sacris, religionibus, auctoritati vestrae, iudiciis publicis funesta quaestura: in qua idem iste deos hominesque, pudorem, pudicitiam, senatus auctoritatem, ius, fas, leges, iudicia violavit. Atque hic ei gradus—o misera tempora stultasque nostras discordias!—P. Clodio gradus ad rem publicam hic primus fuit et aditus ad popularem iactationem atque ascensus. Nam Ti. Graccho invidia Numantini foederis, cui feriendo, quaestor C. Mancini consulis cum esset, interfuerat, et in eo foedere improbando senatus severitas dolori et timori fuit: eaque res illum fortem et clarum virum a gravitate patrum desciscere coëgit. C. autem Gracchum mors fraterna, pietas, dolor, magnitudo animi ad expetendas domestici sanguinis poenas excitavit. Saturninum, quod in annonae caritate quaestorem a sua frumentaria procuratione senatus amovit eique rei M.

[a] Persons employed by candidates to distribute bribes at the elections.

compacts and associations. Returning from that province, he harvested into his own pockets all the rich and fruitful profits of the Campus; yet we find this idol of the people unscrupulously defrauding the people, and this humane gentleman heartlessly butchering at his own house the distributors [a] of all
43 the tribes. Then began that quaestorship, so fraught with disaster to the republic, to the ceremonies and observances of religion, to your authority, and to the public administration of justice; during his tenure of this he scouted gods and men, honour, chastity, the senate's authority, equity, right, the constitution, and the courts. This position—O the misery of the times in which we live, and the folly of our discords! —this position was the first step taken by Clodius in his political career, the first rung of the ladder of demagogic self-glorification. Tiberius Gracchus had been a party to the signing of the treaty at Numantia while acting as quaestor to the Consul Mancinus; and the unpopularity he gained from this, together with the uncompromising attitude of the senate in withholding their assent from this treaty, inspired him with resentment and apprehension, a combination of circumstances which compelled that gallant and distinguished man to sever himself from the lofty policy of the fathers. Gaius Gracchus, on the other hand, was stirred by his brother's death, his natural affections, his grief, and his indomitable spirit, to wreak vengeance for the shedding of the blood of his house. Saturninus, as we know, became a democrat from indignation at the act of the senate, which, under the stress of a temporary dearness of corn, took from him, as quaestor, his administration of supplies, and trans-

Scaurum praefecit, scimus dolore factum esse popularem. Sulpicium ab optima causa profectum Gaioque Iulio consulatum contra leges petenti resistentem longius quam voluit popularis aura provexit.
44 XXI. Fuit in his omnibus causa, etsi non iusta—nulla enim potest cuiquam male de re publica merendi iusta esse causa,—gravis tamen et cum aliquo animi virilis dolore coniuncta. P. Clodius a crocota, a mitra, a muliebribus soleis purpureisque fasceolis, a strophio, a psalterio, a flagitio, a stupro est factus repente popularis. Nisi eum mulieres exornatum ita deprehendissent, nisi ex eo loco, quo eum adire fas non fuerat, ancillarum beneficio emissus esset, populari homine populus Romanus, res publica cive tali careret. Hanc ob amentiam in discordiis nostris, de quibus ipsis his prodigiis recentibus a dis immortalibus admonemur, adreptus est unus ex patriciis, cui
45 tribuno plebis fieri non liceret. Quod anno ante frater Metellus et concors etiam tum senatus, senatus principe Cn. Pompeio sententiam dicente excluserat acerrimeque una voce ac mente restiterat, id post discidium optimatium, de quo ipso nunc monemur, ita perturbatum itaque permutatum est, ut, quod

[a] G. J. Caesar Strabo stood for the consulship before he had been praetor, 88; see note on Sulpicius, Chap. XIX. above.

ferred it to Marcus Scaurus ; while Sulpicius, whose resistance to the illegal candidature for the consulship of Gaius Julius [a] had at the outset been fully justified, was ultimately carried by the breeze of popular support to greater lengths than he had purposed
44 to go. XXI. The courses which all these adopted were determined by reasons, not indeed such as to justify those courses—for no reason can ever justify disservice to the state,—but at all events cogent reasons, combined with sentiments of high-spirited resentment ; but Publius Clodius suddenly emerged from his saffron robe, his frontlet, his womanish slippers and purple hose, his breast-band, his psaltery, and his monstrous debaucheries — a fully-fledged demagogue. Had it been others than women who had caught him in this finery, had not the good offices of maid-servants permitted him to depart from a place which it was impious for him to have approached, the Roman people would now be without their demagogue, and the state without such a model of civic virtue. Thanks to the infatuation of our present civil strife, which is the subject of the warning recently given us by the immortal gods through these very prodigies now in question, the one man who had no business to become tribune of the plebs has been snatched from the patrician body.
45 The strenuous, concerted, and unanimous opposition and resistance which had been offered in the previous year by his cousin Metellus and a senate which was even then united, and which was supported by a speech which Gnaeus Pompeius, leader of the senate, delivered, was, after the split among the nobles, which is what we are now warned against, so utterly disintegrated and altered that what

frater consul ne fieret obstiterat, quod adfinis et sodalis clarissimus vir, qui illum reum non laudarat, excluserat, id is consul efficeret in discordiis principum, qui illi unus inimicissimus esse debuerat, et eo fecisse auctore se diceret, cuius auctoritatis neminem posset poenitere. Iniecta fax est foeda ac luctuosa rei publicae : petita est auctoritas vestra, gravitas amplissimorum ordinum, consensio bonorum omnium, totus denique civitatis status. Haec enim certe petebantur, cum in me cognitorem harum omnium rerum illa flamma illorum temporum coniiciebatur. Excepi et pro patria solus exarsi, sic tamen, ut vos iisdem ignibus circumsaepti me primum ictum pro
46 vobis et fumantem videretis. XXII. Non sedabantur discordiae, sed etiam crescebat in eos odium, a quibus nos defendi putabamur. Ecce iisdem auctoribus, Pompeio principe, qui cupientem Italiam, flagitantes vos, populum Romanum desiderantem non auctoritate sua solum, sed etiam precibus ad meam salutem excitavit, restituti sumus. Sit discordiarum finis aliquando : a diuturnis dissensionibus conquiescamus. Non sinit eadem ista labes : eas habet contiones, ea miscet ac turbat, ut modo se his, modo

[a] Pompey, whose son married a niece of Clodius, and who had deprecated action against Clodius in the Bona Dea affair.
[b] Caesar.
[c] *i.e.* Caesar alleged that he was acting at Pompey's instigation.
[d] Alluding to Catiline's conspiracy.

Clodius' cousin, when consul, had striven to prevent, and what his distinguished kinsman and comrade,[a] who had not approved that he should be put on his trial, had opposed, was during the feud between our leaders brought about by that consul[b] who might have been expected to be Clodius' worst foe, while he also said that the authority upon which he had acted was such that none could be dissatisfied with it.[c] A torch foul and fraught with sorrow was hurled at the state; it was aimed at your authority, at the dignity of the highest orders, the union of all patriots, in a word, at the whole fabric of our society. These at all events were the ultimate aim, when the incendiarism of the times vented their fury upon me, who was the detecter of all these.[d] I met the flame; I blazed alone for my country; but nevertheless those flames hedged you about on all sides, and I was but the first victim whom you saw smitten and smoking
46 to save you. XXII. And so far from our discords being allayed, hatred even waxed strong against those by whom it was thought we were being championed. And now, behold, I have been restored, and my restoration has been due to the proposals of these same men, and to the lead given by Pompeius, who, when Italy longed for me, when you demanded me, and when the Roman people yearned for me, roused all of them, not only by his authority but even by his entreaties, to procure my deliverance. Now at length let there be an end to our discords; let us find repose from our protracted quarrels. But that same breeder of pestilence will not permit this; his mass meetings, his subversive and turbulent activities, are but the means whereby

vendat illis, nec tamen ita, ut se quisquam, si ab isto laudatus sit, laudatiorem putet, sed ut eos, quos non amant, ab eodem gaudeant vituperari. Atque ego hunc non miror—quid enim faciat aliud?—illos homines sapientissimos gravissimosque miror, primum, quod quemquam clarum hominem atque optime de re publica saepe meritum impurissimi voce hominis violari facile patiuntur, deinde si existimant perditi hominis profligatique maledictis posse, id quod minime conducit ipsis, cuiusquam gloriam dignitatemque violari, postremo quod non sentiunt id, quod tamen mihi iam suspicari videntur, illius furentes ac
47 volaticos impetus in se ipsos posse converti. Atque ex hac nimia non nullorum alienatione a quibusdam haerent ea tela in re publica, quae quam diu haerebant in uno me, graviter equidem, sed aliquanto levius ferebam. An iste nisi primo se dedisset iis, quorum animos a vestra auctoritate seiunctos esse arbitrabatur, nisi eos in caelum suis laudibus praeclarus auctor extolleret, nisi exercitum C. Caesaris—in quo fallebat, sed eum nemo redarguebat,—nisi eum, inquam, exercitum signis infestis in curiam se immissurum minitaretur, nisi se Cn. Pompeio adiutore, M. Crasso auctore, quae faciebat facere clamaret, nisi consules causam coniunxisse secum, in quo

he sells himself now to this party and now to that; but with and through it all, no one counts praise from Clodius any addition to his praise; they do but rejoice to hear him vilify those whom they dislike. And indeed it is not him I wonder at; for how else could he act? I wonder rather at these sage and serious persons: first, that they tolerate that any man of renown who has often done high service to the republic should be assailed by the utterance of a vile scoundrel; secondly, that they should think it possible that the slanders of an abandoned profligate (and indeed it would be small gain to themselves if it did so) should impair any man's credit and reputation; and lastly, that they do not realize (though I think they are beginning to suspect it) that his irrational and desultory
47 attacks may recoil upon their own heads. And one fruit of this unreasonable estrangement between party and party is that those darts which, though painful in all conscience, yet lost somewhat of their sting when they were fixed in me alone, are now fixed in the republic. Again, had not Clodius at the outset surrendered himself to men whose sympathies, as he thought, were alienated from your authority; did he not, expert judge of character that he is, exalt their praises to heaven; did he not threaten that Gaius Caesar's army—herein he tried to deceive us, but none refuted him—that this army would be let loose by him upon the senate-house prepared for hostile action; did he not brag that his proceedings were abetted by Gnaeus Pompeius and instigated by Marcus Crassus; did he not assert (the only assertion he made which was not a lie) that the consuls had made common

uno non mentiebatur, confirmaret, tam crudelis mei, tam sceleratus rei publicae vexator esse potuisset ?
48 XXIII. Idem postea quam respirare vos a metu caedis, emergere auctoritatem vestram ex fluctibus illis servitutis, reviviscere memoriam ac desiderium mei vidit, vobis se coepit subito fallacissime venditare. Tum leges Iulias contra auspicia latas et hic et in contionibus dicere : in quibus legibus inerat curiata illa lex, quae totum eius tribunatum continebat : quam caecus amentia non videbat : producebat fortissimum virum, M. Bibulum : quaerebat ex eo C. Caesare leges ferente de caelo semperne servasset ? Semper se ille servasse dicebat. Augures interrogabat quae ita lata essent rectene lata essent ? Illi vitio lata esse dicebant. Ferebant in oculis hominem quidam boni viri et de me optime meriti, sed illius, ut ego arbitror, furoris ignari. Longius processit : in ipsum Cn. Pompeium, auctorem, ut praedicare est solitus, consiliorum suorum, invehi coepit : inibat
49 gratiam a non nullis. Tum vero elatus spe est, posse se, quoniam togatum domestici belli exstinctorem nefario scelere foedasset, illum etiam, illum externorum bellorum hostiumque victorem adfligere : tum est illa in templo Castoris scelerata et paene

[a] Those enacted in Caesar's consulship 59.
[b] Consul with Caesar 59.
[c] We learn from *Pro Milone*, Chap. VII., that a slave of Clodius had been arrested while carrying a dagger with which to assassinate Pompey.

cause with him,—could he ever have harassed me so unmercifully, and the state so abominably?
48 XXIII. Then again, when he saw that you were relieved of your apprehensions of massacre, that your authority was raising its head above the waves of servitude, and that yearning memories of me were stirring afresh in men's hearts, he suddenly began, like the arrant swindler that he is, to display his wares to you; then he asserted both in this house and at mass meetings that the Julian laws[a] had been carried in defiance of the auspices; among these was the law carried in the Assembly of the Curies which comprised all the acts of his tribunate, though he was so blinded by frenzy that he never remarked this. He brought forward that gallant gentleman Marcus Bibulus,[b] and asked him whether he had been assiduous in observing the sky, while Caesar was introducing his laws. Bibulus replied in the affirmative. He questioned the augurs as to whether legislation so carried had been validly carried; they replied that there was a flaw in the process. The fellow was looked upon with favour by certain men of sound views who had done me good service, but who, as I think, were blind to his recklessness. He went to yet further lengths; he began to attack Gnaeus Pompeius himself, the inspirer, as he was in the habit of proclaiming, of his policy; he began to ingratiate himself with not
49 a few. Then indeed he was fired with a hope that, since by an impious crime he had humiliated the civilian queller of intestine war, he could assail *him* too, yes, him who had waged triumphant war against foreign foes; then that crime-stained dagger[c] that so nearly achieved the extinction of

deletrix huius imperii sica deprehensa : tum ille, cui nulla hostium diutius urbs umquam fuit clausa, qui omnes angustias, omnes altitudines moenium obiectas semper vi ac virtute perfregit, obsessus est ipse domi, meque non nulla imperitorum vituperatione timiditatis meae consilio et facto suo liberavit. Nam si Cn. Pompeio, viro uni omnium fortissimo, quicumque nati sunt, miserum magis fuit quam turpe, quam diu ille tribunus plebis fuit, lucem non aspicere, carere publico, minas eius perferre, cum in contionibus diceret velle se in Carinis aedificare alteram porticum quaeque Palatio responderet, certe mihi exire domo mea ad privatum dolorem fuit luctuosum, ad rationem rei publicae gloriosum. XXIV. Videtis igitur hominem per se ipsum iam pridem adflictum ac iacentem perniciosis optimatium discordiis excitari, cuius initia furoris dissensionibus eorum, qui tum a vobis seiuncti videbantur, sustentata sunt. Reliqua iam praecipitantis tribunatus etiam post tribunatum obtrectatores eorum atque adversarii defenderunt, ne a re publica rei publicae pestis removeretur restiterunt, etiam ne causam diceret, etiam ne privatus esset. Etiamne in sinu atque in deliciis quidam optimi viri

[a] A district between the Caelian and the Esquiline, now S. Pietro in Vincoli. Pompey had a house there, and Clodius threatened to treat this house as he had treated C.'s.
[b] Caesar, Pompey, and Crassus.
[c] Bibulus, Cato, and Domitius.

this empire was found upon him in the temple of Castor; then that great man, against whom no hostile city had barred her gates for long, he who by his energy and valour had burst his way through every breach, however narrow, and scaled every wall, however high, was actually besieged in his own house, and by the course he chose to pursue absolved me from the reproach of cowardice which had been fastened upon me by many who were unacquainted with the facts. For if Gnaeus Pompeius, the bravest of all men born, found it not so much ignominious as miserable not to look upon the daylight, while Clodius was tribune of the plebs, to resign his public activities, and to endure Clodius' threats, when he said in mass meetings that he intended to build a second portico in the Carinae[a] to correspond with that on the Palatine, then surely, though it was a grievous personal blow for me to be banished from my home, yet at the same time, inasmuch as it was a course that accorded with the interest of the republic, it was
50 glorious. XXIV. So now you see the fellow roused by the mischievous dissensions of the nobles from the long prostration and impotence to which his own conduct had brought him, though at the outset the first essays of his madness were nourished upon the differences of those[b] who at the time seemed to be out of sympathy with you. The remaining acts of his tribunate, when it had begun to rush headlong upon ruin, were defended, even after he was tribune no longer, by the belittlers and opponents[c] of those whom I have just mentioned; they opposed the removal from the state of the state's curse, they opposed his arraignment, even his reduction to private status. Is it possible that certain men,

viperam illam venenatam ac pestiferam habere potuerunt ? quo tandem decepti munere ? Volo, inquiunt, esse qui in contione detrahat de Pompeio. Detrahat ille vituperando ? Velim sic hoc vir summus atque optime de mea salute meritus accipiat, ut a me dicitur : dicam quidem certe quod sentio. Mihi, me dius fidius, tum de illius amplissima dignitate detrahere, cum eum maximis laudibus efferebat,
51 videbatur. Utrum tandem C. Marius splendidior, cum eum C. Glaucia laudabat, an cum eumdem iratus postea vituperabat ? an ille demens et iam pridem ad poenam exitiumque praeceps, foedior aut inquinatior in Cn. Pompeio accusando quam in universo senatu vituperando fuit ? quod quidem miror, cum alterum gratum sit iratis, alterum esse tam bonis civibus non acerbum. Sed ne id viros optimos diutius delectet, legant hanc eius contionem, de qua loquor : in qua Pompeium ornat an potius deformat ? certe laudat et unum esse in hac civitate dignum huius imperii gloria dicit et significat se illi esse amicissimum et reconciliationem esse gratiae factam.
52 Quod ego quamquam quid sit nescio, tamen hoc

[a] Supporter of Marius with Saturninus.

excellent in all else, could have brought themselves to hug to their hearts that envenomed and pestilential viper? What, I should like to know, was the bait whereby they were deceived? "It is my wish," says one and another, "that Pompeius should have his detractors at mass meetings." What! could he suffer detraction from the vilification of Clodius? It is my hope that that great man, to whom I am so deeply indebted for my restoration, may understand this in the sense in which it is said; I, at all events, shall say only what I feel. I do declare that it was when Clodius extolled Pompeius with his highest congratulations, then, so it seemed to me, he was
51 detracting from his splendid reputation. I ask you, was the fame of Gaius Marius brighter when Gaius Glaucia[a] was panegyrizing him, or when he later vented his wrath upon him in abuse? What! did that madman, who had for long been blindly rushing upon doom and retribution, show in any viler or more detestable light when he was accusing Gnaeus Pompeius than when he was abusing the senate generally? What surprises me in this is that this latter act of Clodius should not be viewed with disgust by such good patriots, since they find their indignation gratified by the former. But that excellent gentlemen may cease to feel delight at such behaviour, let them read the proceedings of that mass meeting of Clodius of which I speak, in which he compliments, or shall I rather say defames, Pompeius. At all events, he congratulates him, asserting that he is the only member of the community who is worthy of the empire's glory, intimating his own deep attachment and his reconciliation
52 with him. What may be the meaning of this I

statuo, hunc, si amicus esset Pompeio, laudaturum illum non fuisse. Quid enim, si illi inimicissimus esset, amplius ad eius laudem minuendam facere potuisset? Videant ii, qui illum Pompeio inimicum esse gaudebant ob eamque causam in tot tantisque sceleribus conivebant et non numquam eius indomitos atque effrenatos furores plausu etiam suo prosequebantur, quam se cito inverterit. Nunc enim iam laudat illum: in eos invehitur, quibus se antea venditabat. Quid existimatis eum, si reditus ei gratiae patuerit, esse facturum, qui tam libenter in opinionem
53 gratiae irrepat? XXV. Quas ego alias optimatium discordias a dis immortalibus definiri putem? nam hoc quidem verbo neque P. Clodius neque quisquam de gregalibus eius aut de consiliariis designatur. Habent Etrusci libri certa nomina, quae in id genus civium cadere possint. DETERIORES, REPULSOS, quod iam audietis, hos appellant, quorum et mentes et res sunt perditae longeque a communi salute disiunctae. Qua re cum di immortales monent de optimatium discordia, de clarissimorum et optime meritorum civium dissensione praedicunt: cum principibus periculum caedemque portendunt, in tuto collocant

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[a] With regard to the relations between Pompey and Clodius, it should be remembered that Clodius, though nominally the instrument of both Pompey and Caesar, had probably been privately commissioned by the latter, now in Gaul, to exasperate Pompey by any means in his power. See Introduction to Speeches *Post reditum*.

[b] Containing the formulae on which the *haruspices* based their interpretations.

cannot divine, but my conviction is that if Clodius were a friend to Pompeius he would not have congratulated him. For if he had been Pompeius' bitterest foe, what could he have said that would have more directly tended to impair his reputation? I would ask those who felt delight at Clodius' hostility to Pompeius, and who were thereby misled into shutting their eyes to his innumerable wickednesses, even on some occasions hailing with their own applause his acts of incorrigible and headstrong recklessness, to note how rapid was his change of face. At this present moment he is congratulating Pompeius; but he is bitterly attacking those whose favour he was but now courting. If he finds the road to reconciliation with Pompeius thrown open to him, how do you think he will act, when he is so glad to worm himself into a reconciliation which is
53 purely supposititious?[a] XXV. To what other dissensions among the nobles am I to think that a pointed allusion is being made by the immortal gods? For, indeed, in this particular clause there is no express mention either of Publius Clodius nor of any of his associates or advisers. But the Etruscan books[b] employ certain definite terms which are peculiarly applicable to this type of citizen. As you will shortly hear, they apply the epithets "baser," "rejected" to those who are desperate both in purpose and in purse, and are in both alienated from the cause of the common welfare. Wherefore, when the immortal gods warn us against the dissensions of the nobles, they are prophesying to us with regard to quarrels which concern our most distinguished and meritorious citizens; and when they foreshadow danger and death to our highest, they

Clodium, qui tantum abest a principibus quantum a
54 puris, quantum ab religiosis. Vobis, o carissimi atque optimi cives, et vestrae saluti consulendum et prospiciendum vident. Caedes principum ostenditur: id, quod interitum optimatium sequi necesse est, adiungitur: ne in unius imperium res recidat, admonemur. Ad quem metum si deorum monitis non duceremur, tamen ipsi nostro sensu coniecturaque raperemur. Neque enim ullus alius discordiarum solet esse exitus inter claros et potentes viros nisi aut universus interitus aut victoris dominatus aut regnum. Dissensit cum Mario, clarissimo cive, consul nobilissimus et fortissimus, L. Sulla: horum uterque ita cecidit victus, ut victor idem regnaverit. Cum Octavio collega Cinna dissedit: utrique horum secunda fortuna regnum est largita, adversa mortem. Idem iterum Sulla superavit: tum sine dubio habuit regalem potestatem, quamquam rem publicam re-
55 cuperarat. Inest hoc tempore haud obscurum odium atque id insitum penitus et inustum animis hominum amplissimorum: dissident principes: captatur occasio. Qui non tantum opibus valent, nescio quam fortunam tamen ac tempus exspectant: qui sine controversia plus possunt, ei fortasse non numquam

grant security to Clodius, who is as far removed from the highest as he is from the chaste and the
54 scrupulous. It is upon you, O brightest and best of our citizens, that Heaven sees that the duty devolves of taking measures and provisions for your own safety. The murder of our highest is portended; and there is a further reference to what must inevitably follow the destruction of our nobility; we are warned, that is to say, "that the state lapse not to the rule of one." Did not a divine behest direct us to this apprehension, we should none the less be forcibly driven upon it by our own powers of perception and inference; for indeed it is a commonplace that dissension between men of renown and authority can have no other issue save a general cataclysm, or, failing that, the despotic domination of the triumphant person. A quarrel arose between that renowned citizen Marius and that noble and gallant consul Lucius Sulla; each of these successively fell vanquished, and yet each was no sooner the vanquisher than he became a despot. Cinna fell out with his colleague Octavius; upon each of these prosperity bestowed a tyrant's power, adversity death. Once again Sulla prevailed; and then beyond all doubt he wielded a king's power,
55 albeit he had restored the republic. At the present time hatred does more than merely rankle; it is engrained and inured in the souls of our proudest; there is discord in high places, and there are those who are ready to clutch the opportunity. Those who are opposed by a superiority of power are yet alert to catch at the skirts of some happy chance or random conjuncture of events; while those who enjoy an undisputed pre-eminence are as often as

consilia ac sententias inimicorum suorum extimescunt. Tollatur haec e civitate discordia : iam omnes isti qui portenduntur metus exstinguentur : iam ista serpens, quae tum hic delitiscit, tum se emergit et fertur illuc, compressa atque illisa morietur.

XXVI. Monent enim eidem, NE OCCULTIS CONSILIIS RES PUBLICA LAEDATUR. Quae sunt occultiora quam eius, qui in contione ausus est dicere iustitium edici oportere, iuris dictionem intermitti, claudi aerarium, iudicia tolli ? nisi forte existimatis hanc tantam colluvionem illi tantamque eversionem civitatis in mentem subito in Rostris nec cogitanti venire potuisse. Est quidem ille plenus vini, stupri, somni plenusque inconsideratissimae ac dementissimae temeritatis : verum tamen nocturnis vigiliis, etiam coitione hominum, iustitium illud concoctum atque meditatum est. Mementote, patres conscripti, verbo illo nefario temptatas aures nostras et perniciosam viam audiendi consuetudine esse munitam.

56 Sequitur illud : NE DETERIORIBUS REPULSISQUE HONOS AUGEATUR. REPULSOS videamus : nam DETERIORES qui sint post docebo. Sed tamen in eum cadere hoc

not apprehensive of the purposes and meditations of their rivals. Let us sweep this spirit of discord from our society; then forthwith will all these terrors which cast their shadow upon us be abolished, and then will yonder serpent, who now lurks here, and now comes forth from his lair and darts thither, be crushed and pounded to his death.

XXVI. And indeed we are warned from the same source "that the republic be not harmed by secret designs." What designs can be more secret than his, who dared to say at a mass meeting that a cessation of public business should be proclaimed, that the administration of justice should be arrested, that the treasury should be closed, and that the courts should be done away with? What indeed, unless we are to believe that the idea of so wholesale an inundation and destruction of our society could have flashed unpremeditated upon his thoughts as he stood upon the rostra? I grant you that wine, debauchery, slumber, and a recklessness utterly devoid of reflection and of reason, are the very stuff of his life; but the cessation of public business which he suggests can only have been hatched and plotted in the watches of the night, and by more heads than one. Do not forget, conscript fathers, that our ears have been affronted by his outrageous words, and that it is by making us familiar with their sound that he has paved the road that is to end in our doom.

56 There follows the injunction, "Let not honour be increased for the baser and the rejected." Let us consider this word "rejected"; later I will demonstrate to you who are meant by "the baser." Meanwhile, however, it may be taken for granted that

verbum maxime, qui sit unus omnium mortalium sine ulla dubitatione deterrimus, concedendum est. Qui sunt igitur repulsi ? Non, ut opinor, ii, qui aliquando honorem vitio civitatis, non suo, non sunt adsecuti. Nam id quidem multis saepe optimis civibus atque honestissimis viris accidit. Repulsi sunt ii, quos ad omnia progredientes, quos munera contra leges gladiatoria parantes, quos apertissime largientes non solum alieni, sed etiam sui vicini tribules urbani rustici reppulerunt. Hi ne honore augeantur, monent. Debet esse gratum quod praedicunt, sed tamen huic malo populus Romanus ipse nullo haru-
57 spicum admonitu sua sponte prospexit. Deteriores cavete : quorum quidem est magna natio, sed tamen eorum omnium hic dux est atque princeps. Etenim si unum hominem deterrimum poëta praestanti aliquis ingenio fictis conquisitisque vitiis deformatum vellet inducere, nullum profecto dedecus reperire posset, quod in hoc non inesset, multaque in eo penitus defixa atque haerentia praeteriret. XXVII. Parentibus et dis immortalibus et patriae nos primum natura conciliat : eodem enim tempore et suscipimur in lucem et hoc caelesti spiritu augemur et certam in

[a] Presumably by restoring Cicero from exile, and so baffling Clodius.

the word is most appropriately used of one who is beyond all rivalry and all question the basest of mortals. Who, then, are "the rejected"? Not, surely, those whose failure to gain promotion on any occasion has been due to a flaw in their citizenship, not in their character; for this indeed is a misfortune which has frequently happened to many citizens of undoubted excellence and uprightness. The "rejected" are rather those who are prepared to go to any lengths, who provide gladiatorial entertainments in defiance of the laws, who offer bare-faced bribes, and who on every occasion are rejected not merely by those unconnected with themselves, but by their kinsfolk, their neighbours, their tribesmen, and their fellow-citizens both in the city and in the provinces; it is these whose honour we are warned not to increase. We must, of course, be grateful for the admonition, but nevertheless the Roman people itself has spontaneously, and independently of any warning of soothsayers, taken measures to cope with this
57 evil.[a] It is against "the baser" that you must be on your guard; their name is legion, but Clodius is prince and master of them all; and indeed, if some poet of surpassing genius were desirous of presenting to us an individual defiled by all the vices that imagination and ingenuity could suggest, I am sure that he could devise no infamy that was not to be found in Clodius, and that many sins that are ineradicably embedded in his soul would be overlooked.

XXVII. Our parents, the immortal gods, our fatherland,—to all these nature binds us at the hour of our birth; for at that one time we are accepted by the first as participants in the light of day, we are endowed by the second with the breath of the heaven

sedem civitatis ac libertatis ascribimur. Iste parentum nomen, sacra, memoriam, gentem Fonteiano nomine obruit : deorum ignes, solia, mensas, abditos ac penetrales focos, occulta et maribus non invisa solum, sed etiam inaudita sacra inexpiabili scelere pervertit idemque earum templum inflammavit dearum,
58 quarum ope etiam aliis incendiis subvenitur. Quid de patria loquar ? qui primum eum civem vi, ferro, periculis urbe, omnibus patriae praesidiis depulit, quem vos patriae conservatorem esse saepissime iudicaritis : deinde everso senatus, ut ego semper dixi, comite, duce, ut ille dicebat, senatum ipsum, principem salutis mentisque publicae, vi, caede incendiisque pervertit : sustulit duas leges, Aeliam et Fufiam, maxime rei publicae salutares : censuram exstinxit : intercessionem removit : auspicia delevit : consules, sceleris sui socios, aerario, provinciis, exercitu armavit : reges qui erant vendidit, qui non erant appellavit : Cn. Pompeium ferro domum compulit : imperatorum monumenta evertit : inimicorum domus disturbavit : vestris monumentis suum nomen inscripsit. Infinita sunt scelera, quae ab illo in patriam sunt edita. Quid, quae in singulos cives, quos necavit ? socios, quos diripuit ? imperatores, quos

[a] We learn from *Pro Milone*, Chap. XXVII., that Clodius burned a shrine of the nymphs ; this incident seems to be referred to here, and probably it was a shrine of the Naiads.

[b] Pompey.

[c] See *In senatu*, Chap. V. *n.*

[d] Q. Catulus ; see *De domo sua*, Chap. XXXVIII.

[e] See *ibid.* Chap. XXX.

above us, and we are enrolled into the citizenship and freedom of a fixed home. Clodius by adopting the name of Fonteius has wiped out the name, the religion, the memory, and the clan of his parents; by his inexpiable crime he has trampled upon the fires of the gods, their thrones, their tables, their enshrined and mystic hearths, and their secret rites, which are forbidden not merely to the gaze but even to the hearing of males; and he has burned the temple of the very goddesses whose gifts are
58 employed to quench ordinary conflagrations.[a] And what of his dealings with his fatherland? In the first place, by armed violence and by menaces he banished from the city and from all the protection his country could have afforded him a citizen whom you repeatedly pronounced to be that country's preserver; then, having worked the downfall of one[b] whom I have always described as the senate's friend, and whom he asserted to be its leader, he overturned the senate itself by fire and massacre; he abolished two laws, the Aelian and the Fufian,[c] which were of supreme service to the state; he swept away the censorship, he removed the right of veto, he annulled the auspices, he equipped the consuls, who were his partners in crime, with funds, provinces, and an army; native governors who were kings he sold, those who were not he so entitled; he drove Gnaeus Pompeius to his house by force of arms, he overturned the monuments of generals,[d] he demolished the houses of his enemies, upon your monuments he inscribed his own name.[e] The catalogue of the crimes which he let loose upon his country is without end. And what of the individual citizens whom he has done to death, of the allies whom he has sundered

59 prodidit ? exercitus, quos temptavit ? Quid vero ? ea quanta sunt, quae in ipsum se scelera, quae in suos edidit ? quis minus umquam pepercit hostium castris quam ille omnibus corporis sui partibus ? quae navis umquam in flumine publico tam vulgata omnibus quam istius aetas fuit ? quis umquam nepos tam libere est cum scortis quam hic cum sororibus volutatus ? quam denique tam immanem Charybdim poëtae fingendo exprimere potuerunt, quae tantos exhauriret gurgites, quantas iste Byzantiorum Brogitarorumque praedas exsorbuit ? aut tam eminentibus canibus Scyllam tamque ieiunis quam quibus istum videtis, Gelliis, Clodiis, Titiis Rostra ipsa mandentem ?

60 Qua re, id quod extremum est in haruspicum responsis, providete, NE REI PUBLICAE STATUS COMMUTETUR. Etenim vix haec, si undique fulciamus, iam labefacta, vix, inquam, nixa in omnium nostrum humeris cohaerebunt. XXVIII. Fuit quondam ita firma haec civitas et valens, ut negligentiam senatus vel etiam iniurias civium ferre posset : iam non potest. Aerarium nullum est : vectigalibus non fruuntur qui redemerunt : auctoritas principum cecidit : consensus ordinum est divulsus : iudicia perierunt : suffragia descripta tenentur a paucis : bonorum animus ad nutum nostri ordinis expeditus iam non erit :

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[a] Sex. Clodius ; see Chap. VI.

[b] It is impossible to indicate the play upon the two uses of *rostra*—(1) prows, (2) platform in forum decorated with prows. "Scylla devoured only the men, not the ships; your creatures devour (*i.e.* make havoc of) not only the sailors on the ship of state, but even the ship itself."

[c] The *publicani*, who bought from the state the right of collecting the revenues in certain provinces, and made what they could out of the deal.

from us, the generals whom he has betrayed, the
59 armies with which he has tampered? More than all this, how shocking are the crimes which he has committed against himself and against his own! Who has ever used a hostile camp with less consideration than he has used to all his physical organs? What ship that plies at the public ferry has ever been so free to common traffic as was his youth? What debauchee ever wallowed so dissolutely with strumpets as he has with his sisters? Finally, what Charybdis so monstrous has the imagination of poets been able to depict, or capable of gulping down such oceans as the vast booty of Byzantines and Brogitaruses which he has engulfed? Or what Scylla in fiction was ever ringed by dogs with such craning necks and such famished jaws as those which you see him employing—creatures like Gellius, Clodius,[a] and Titius—to crunch the very prows[b] themselves?

60 Act, therefore, upon the final clause in the response of the soothsayers, which bids you "change not the condition of the republic." And indeed scarcely, though we prop the tottering structure upon this side and upon that, scarcely, I say, will the support given by our united shoulders enable it to cohere. XXVIII. There was a time when the fabric of our state was so firm and sound that it could survive the scouting of the senate and even outrage done to its citizens. It cannot so survive to-day. The treasury is non-existent, those who have contracted for the revenues[c] get no profit therefrom, the prestige of our highest lies in the dust, the unity of the orders is shattered, the courts are no more, the right of voting is assigned to a selected few, the moral support of patriots will soon cease to be ever ready to answer

civem qui se pro patriae salute opponat invidiae
61 frustra posthac requiretis. Qua re hunc statum, qui nunc est, qualiscumque est, nulla alia re nisi concordia retinere possumus: nam ut meliore simus loco ne optandum quidem est illo impunito: deteriore autem statu ut simus, unus est inferior gradus aut interitus aut servitutis. Quo ne trudamur, di immortales nos admonent, quoniam iam pridem humana consilia ceciderunt. Atque ego hanc orationem, patres conscripti, tam tristem, tam gravem, non suscepissem, non quin hanc personam et has partes honoribus populi Romani, vestris plurimis ornamentis mihi tributis deberem et possem sustinere, sed tamen facile tacentibus ceteris reticuissem, sed haec oratio omnis fuit non auctoritatis meae, sed publicae religionis. Mea fuerunt verba fortasse plura, sententiae quidem omnes haruspicum, ad quos aut referri nuntiata ostenta non convenit aut eorum responsis
62 commoveri necesse est. Quod si cetera magis pervulgata nos saepe et leviora moverunt, vox ipsa deorum immortalium non mentes omnium permovebit? Nolite enim id putare accidere posse, quod in fabulis saepe videtis fieri, ut deus aliqui delapsus de caelo coëtus hominum adeat, versetur in terris, cum ho-

the least call of our order, and the day is at hand when you will look in vain for a citizen who will
61 dare to brave hatred in his country's cause. This being so, it is by unity of will alone that we can maintain the present condition of the state, such as it is. Amelioration is something that we cannot even pray for, so long as Clodius goes unpunished; and in degeneration we can but descend one step—to destruction or to slavery; and it is to prevent our being pushed down to this level that the immortal gods give us this warning, since human devices have for long now been impotent. I, indeed, should never have undertaken to speak upon so grave and serious a matter—not that it lay beyond my duty or my power to sustain my present rôle and character, honoured, as I have been, with the offices which are at the bestowal of the Roman people, and with many distinctions conferred by you, but in the universal silence I might easily have kept silence myself—had it not been that I have all this time been pleading the cause, not of my own dignity, but of the religion of the state. My words, perchance, have been over many, but the opinions which those words express are those of the soothsayers, to whom the prodigies announced to us should not be referred at all, unless we are to look upon it as a solemn duty to lay their
62 responses to heart. And if other manifestations, less impressive, perhaps, though more widely bruited, have not failed to move us, shall not the feelings of all of us be stirred by the actual voice of the immortal gods? For you must not think that that can happen which you often see represented upon the stage,—that some god can float down from heaven and mingle in the gatherings of men, walk abroad upon

minibus colloquatur. Cogitate genus sonitus eius, quem Latinienses nuntiarunt, recordamini illud etiam, quod nondum est relatum, quod eodem fere tempore factus in agro Piceno Potentiae nuntiatur terrae motus horribilis cum quibusdam multis metuendisque rebus. Haec eadem profecto quae pro-
63 spicimus impendentia pertimescetis. Etenim haec deorum immortalium vox, haec paene oratio iudicanda est, cum ipse mundus cum maria atque terrae motu quodam novo contremiscunt et inusitato aliquid sono incredibilique praedicunt. In quo constituendae nobis quidem sunt procurationes et obsecratio, quem ad modum monemur. Sed faciles sunt preces apud eos, qui ultro nobis viam salutis ostendunt: nostrae nobis sunt inter nos irae discordiaeque placandae.

the earth, and hold converse with humanity. Reflect upon the nature of the sound which the Latins reported; recall, too, the portent which has not yet been officially notified, the awful earthquake, accompanied by many strange and fearful circumstances, which is reported to have occurred at about the same time at Potentia in Picenum; then surely you will dread this menace which we see looming upon us.
63 And indeed it is as a voice, nay, an eloquent appeal, of the immortal gods that this must be viewed, when the world with its seas and lands shudders with a weird motion, and by a sound beyond experience and beyond belief conveys to us tidings of the future. In such circumstances it is our duty to hold services of reparation and supplication, as we are bidden. But while prayers are the easy resource of those who generously point out to us the path of safety, it is for *us* to mitigate our own mutual animosities and discords.